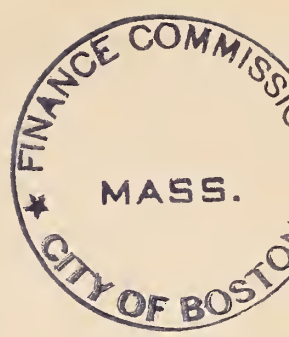


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REPORTS OF PROCEEDINGS

OF THE

CITY COUNCIL OF BOSTON

FOR THE YEAR

COMMENCING JANUARY 6, 1947, AND ENDING JANUARY 3, 1948



CITY OF BOSTON
PRINTING DEPARTMENT
1948

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ward area: Charlestown

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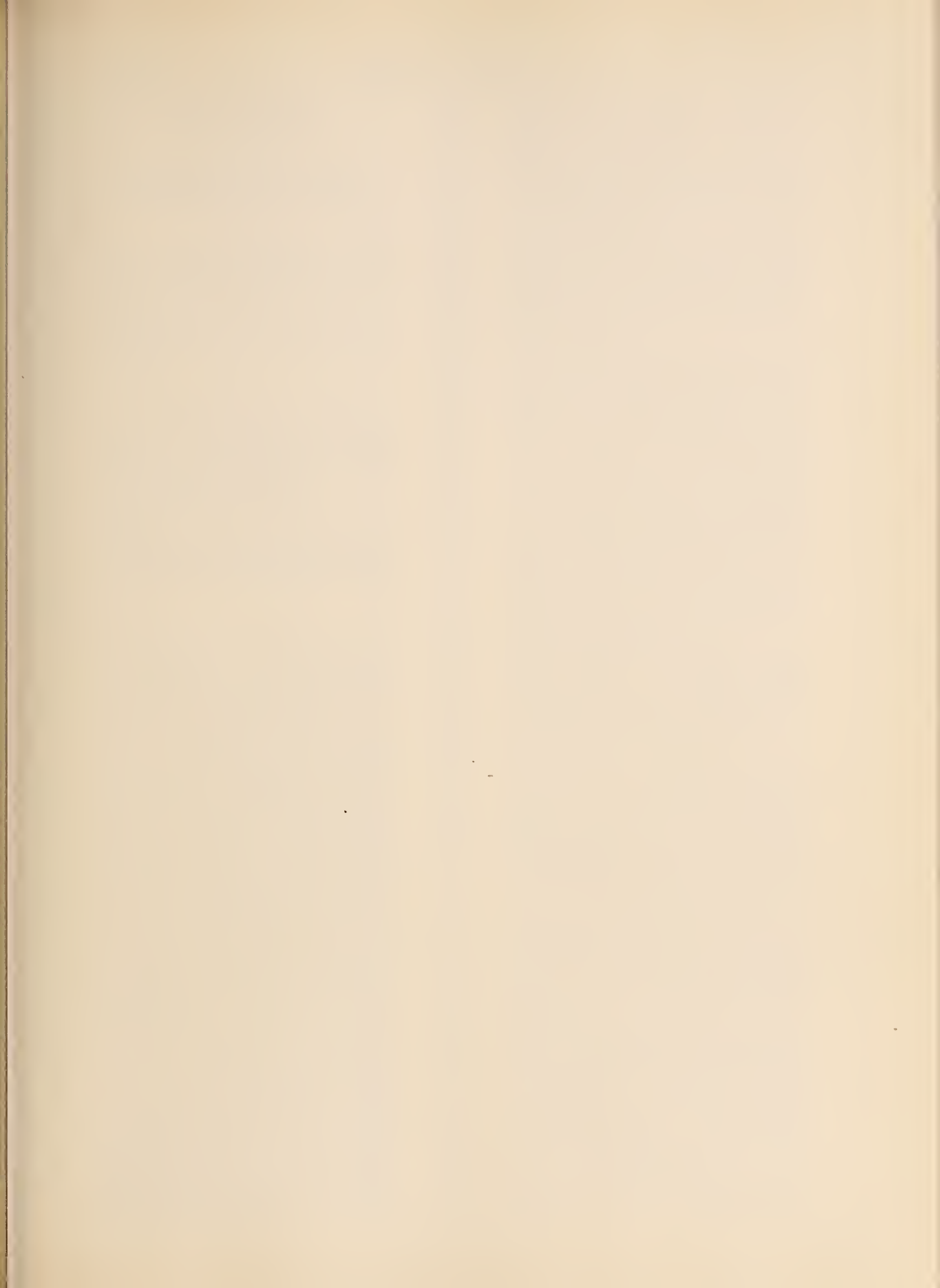
Zoning Adjustment Board**appointments:**

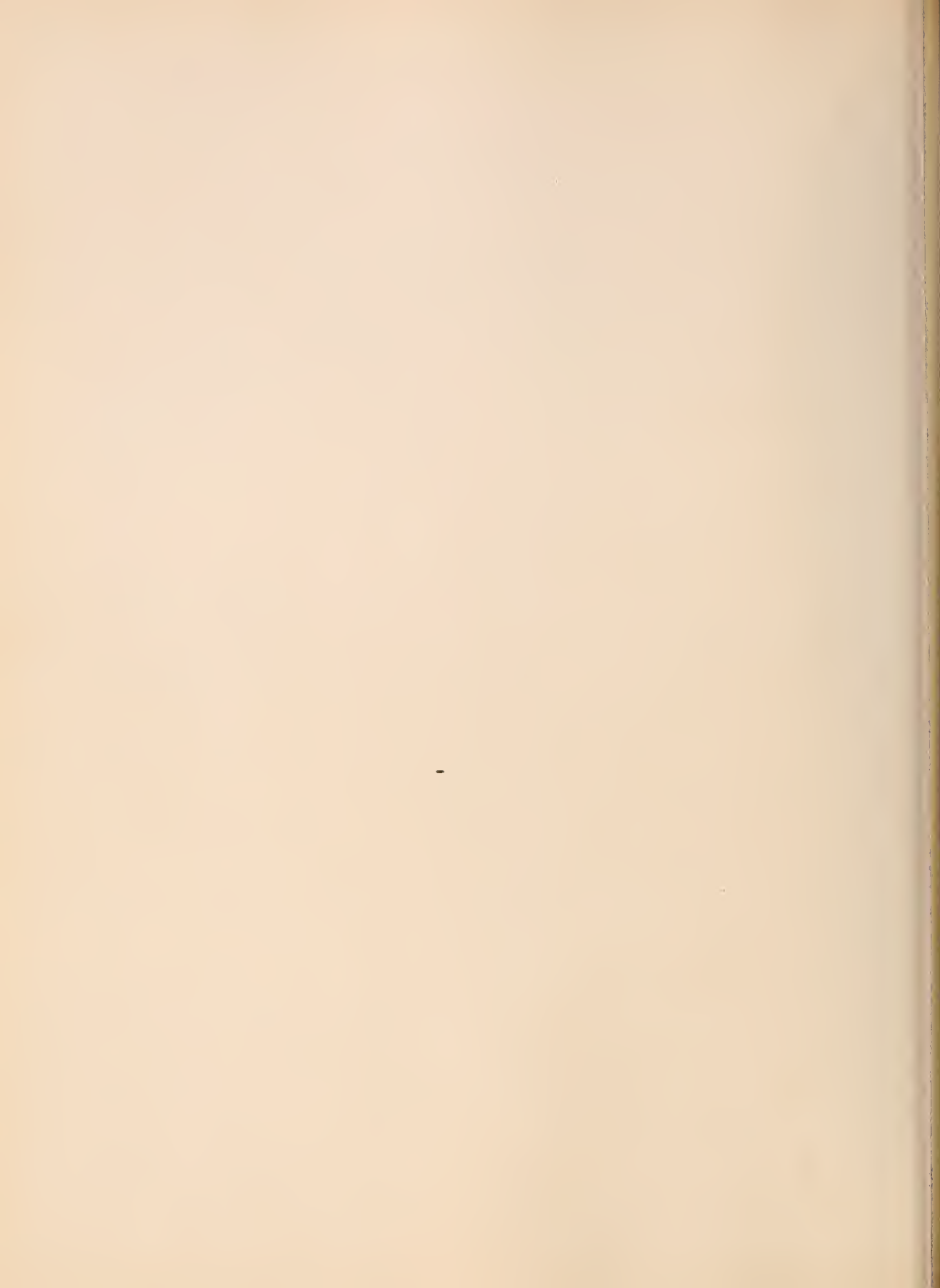
McMann, Earl, 373

Murphy, John F., 286

appropriation: Joint Committee on Re-zoning, \$750, 442, 453







CITY OF BOSTON.

Proceedings of City Council.

Monday, January 6, 1947.

First meeting of the City Council for the year 1947, held in the Council Chamber, City Hall, at 2 p. m., Councillor LANE, Senior Member, presiding, and all the members present.

The meeting was opened with the salute to the Flag.

Chairman LANE—The opening session of the City Council for the year 1947 will be in order. The clerk will call the roll to ascertain the presence of a quorum.

The clerk called the roll, and all the members responded.

ESCORT TO MAYOR CURLEY.

Chairman LANE—His Honor James M. Curley, Mayor of Boston, will deliver his annual address at two o'clock. The Chair will therefore appoint Councillors Scannell and Moriarty to escort the Mayor to the City Council Chamber. The Chair now declares a short recess while we are waiting the arrival of his Honor the Mayor.

(Short recess.)

Chairman LANE—The City Council will come to order.

Members of the Council, invited and honored guests, I am pleased to present his Honor James M. Curley, Mayor of Boston, who will now deliver his annual address. His Honor Mayor Curley.

ANNUAL ADDRESS OF HON. JAMES M. CURLEY, MAYOR OF BOSTON.

Gentlemen of the City Council:

The problems that have confronted us during the past year, that have tested our ingenuity, intelligence and courage, while appearing monumental have in reality been infinitesimal as contrasted with the greater and all-absorbing problems confronting our beloved country and the world.

In two other periods like the present one, the prayers of the people of America went out to the individual filling the most important position in the gift of the nation, the Presidency of the United States, one, General George Washington, and the other, Abraham Lincoln. No individual studying the lives of these two great men can arrive at any other conclusion than that they were inspired by Almighty God and were in reality the instruments of a divine purpose,—one, the freedom of the people of America, and the other, emancipation of all people, regardless of race, creed or color, not only in America, but throughout the world. Despite their exalted mission and devotion to their ideals they were the subjects, too frequently, of the venom, malice and hatred of those who did not understand or refused to understand the motives prompting their action.

At the present time, in our National Capitol, we have a man serving as head of this nation, perhaps better fortified with legislative experience than either Washington or Lincoln, and animated and actuated by the same ideals that prompted Lincoln and Washington to fight on, regardless of criticism or condemnation until success crowned their efforts.

For thousands of years good women and men representing every race, creed and clime have labored unceasingly, but unsuccessfully, for the establishment of a system through which the shedding of blood for the settlement of international differences might be at an end. This plain American, who now presides over the destinies of our nation, has dedicated his life to the solution of the problem that has baffled the ablest, wisest and most powerful forces from the beginning of the world, namely, a permanent peace based on spiritual and economic justice for all the people of the world. I have an abiding faith in the belief that the peoples of the world, as a whole, favor permanent world peace, and the accomplishment of this great objective is far more desired by President Harry S. Truman than his re-election as President of the United States. I, likewise, am firmly of the belief that, in the event of permanent peace becoming a reality through his leadership, courage

and persistence, he will not only be re-elected President of the United States, but will take rank in the history of our country and in the hearts of the peoples of the world as a worthy associate of George Washington and Abraham Lincoln.

The stupendous character of the accomplishment to which he has dedicated his life and best efforts through the Providence of God is destined to become a reality and every individual in America and throughout the world may well say a prayer to Almighty God for the success of his efforts.

I recall discussing with Admiral Chocheprat, Commander of the French Navy, how it was possible to win the Battle of the Marne, during the first war, thereby bringing to a halt the mad march of the victorious Army of Kaiser Wilhelm. Admiral Chocheprat stated to me that he discussed this question with Marshal Joffre on the morning of the Battle of the Marne, just before the drive of the allied forces began.

The Admiral stated that he knew Marshal Joffre had been estranged from his church for a period of seven years and he said to him, "Have you done everything that can be done to win the battle?" The reply of Marshal Joffre was, "Everything, men, munitions. We are stopping the central empires here, or Paris will be taken and the war will be lost." Admiral Chocheprat said to him, "Have you said a prayer to Almighty God for the success of allied arms?" Marshal Joffre replied, "I have not prayed in seven years, I will pray now." He knelt in the mud which was almost knee deep, for several minutes in a reverential attitude, then arose and gave orders for hostilities to begin. It was not the esprit de corps of allied arms, it was not the superior character of our arms, it was the fact that a simple prayer from a great man on earth had been heard at the Throne by a Greater Man on High, and it represented to my mind an exemplification of supreme faith unequalled in the history of the world.

That same faith is today exemplified in the leader of our nation, President Harry S. Truman, and those associated with him, and a simple prayer by all who are listening in may yet be heard and permanent peace become a reality.

Our local municipal problems appeared almost insurmountable one year ago. Yet, today, with faith in God and faith in ourselves, they are gradually being overcome. Fortunately or unfortunately, it has been my lot to take over the destinies of this fair city during four periods of great stress and to have succeeded by that same simple faith in accomplishing what appeared a difficult, if not impossible task.

First, in the period from 1914 to 1917 marking the first world war; second, in 1922 to 1926, when the streets were thronged with those who had gone forth for the preservation of liberty in the world and who were without opportunity for employment other than that of the most menial character, and who were threatened with the possibility of permanently becoming mendicants. In that period, public works were instituted to provide them with employment and the difficulties which appeared insurmountable were overcome.

In 1930, I again became your Mayor at a period when, to preserve the financial security of our nation, it became necessary to close all the banks, and in nearly every American city establish soup kitchens and bread lines. Happily, in our city, due to courage and vision, we emerged at the end of the period of the financial debacle with the proud distinction of being the only city in America that had neither bread lines nor soup kitchens during the period of depression, and without any measurable increase in the tax rate which would have imposed an added burden on those already overburdened.

I returned to the office of the Mayor in 1946 to find a city that, due in some measure to reconstruction and reconversion made necessary by the greatest war in the history of the world, plus the incompetence and inefficiency of those charged with the responsible duty of administering public affairs for the welfare of the people, was in a worse condition than at any previous time in its history.

The first year of my fourth term as Mayor has ended and as the New Year opens, we can point with pride and satisfaction to these outstanding accomplishments of 1946:

1. A tax rate below that of 1945.
2. The net funded debt of the city reduced to the lowest level since 1925 despite liberal provisions for veterans' housing and plant reconstruction and expansion.

3. All outstanding tax title loans paid off and the temporary debt of the city reduced from eight million dollars as of December 31, 1943, to two million dollars as of December 31, 1946.

4. The accumulated cash deficit of the city, which reached a record high of twenty-three million dollars on December 31, 1937, reduced as of December 31, 1946, to below two million dollars.

5. The best record of tax collections achieved in the history of the city.

6. A substantial surplus realized in the operations of the water service despite a twenty per cent reduction made in water rates.

7. The highest surplus achieved in the thirteen years of operation of the Summer Traffic Tunnel.

8. The demoralized municipal services inherited from my predecessors restored to a high order of efficiency and economy.

In the light of these definite achievements, I come before you at your opening session in the New Year to state with certainty, that provided we have faith in God, faith in ourselves, and faith in our city, we are destined to achieve a higher destiny, industrially and commercially, than ever before realized in the history of our fair city.

Today I am asking your cooperation in the establishment of advanced scales of compensation for all employees whose salaries and wages are regulated within the city and county budgets. In every age, the "Little People" have always been the principal sufferers from economic upheavals and inflationary spirals. With a view to relieving the "Little People" in the city and county service, I am providing in the 1947 budget a general compensation advance in keeping with the increase in living costs as well as the financial limitations of the city. Due to the vicious circle in which we are enmeshed it must be apparent to every fair-minded individual that this course was necessary, if an honest day's work is to be given by the employees of the city. I have always contended that persons receiving a wage that is just, can be relied upon to return a fair equivalent, which can never be secured from an underpaid officer, or the individual that labors under the impression that he has been dealt with unfairly and unjustly. I subscribe to what has been so well said by Victor Hugo in "Les Miserables," when he stated, "I weep with you for the princesses murdered in the tower, but you weep with me for the children of the people, they have suffered longest." And so with the "Little People," as well as the great ones, I have given equal consideration in the matter of salary increases, confident in the belief that it is not only a just, but a wise measure to take.

As we stand at the opening of a new municipal year, it is apparent that every unit of government in this great Commonwealth faces rising costs, additional budgetary requirements, increased salaries and expansions in governmental functions. Prominent officials have been quoted in the Public Press as stating that substantial increases in local tax rates will be required to meet these increased costs and that many communities face the possibility of \$50 and \$60 tax rates. These predictions may be realized if our local subdivisions are afforded no measure of relief by the state. I am hopeful, however, that the new administration on Beacon Hill will take heed of action initiated by Governors in other states of this Union and thus assure the enactment of laws and measures which will produce substantial relief for real estate.

In at least fourteen states of the Union, non-partisan and non-political commissions have been appointed by the Governors to consider among other matters the place of the state in aiding local units of government. In the reports of these commissions filed to date, there is a general agreement on the conclusion that the state, with its greater resources and greater taxing powers, is in a far better position to raise the additional revenues required to meet post-war rehabilitation and reconstruction costs. The outstanding accomplishment in this respect has undoubtedly occurred in the neighboring State of New York where early last year the Legislature accepted the report of the commission appointed by Governor Dewey in 1944 and enacted legislation stabilizing the distribution of state-collected taxes and revenues to local communities on a per capita basis as well as providing for the reimbursement to local communities of all welfare disbursements in excess of twenty per cent. Under these two measures, twelve and one half million dollars in additional revenue were distributed by the State of New York to its local communities in 1946 and the local welfare burden throughout the state was reduced

twenty-one million dollars. In the State of Maryland, the recommendations of the Governor's Commission on distribution of tax revenues, if adopted by this year's Legislature, will result in an estimated increased distribution of roughly, twelve million eight hundred thousand dollars in state revenues to local communities.

In other states, notably New York, Pennsylvania, Ohio, and Maryland, cities and towns have been given the right to originate revenue-producing measures other than taxation upon real estate. New York City, admittedly a democratic stronghold, was authorized last year by a Republican Governor and Legislature to establish for a three-year period a four-point new revenue program with an estimated annual return of sixty-seven million dollars to the City of New York alone. Philadelphia, since 1939, has levied with legislative approval an earned income tax, generally called the Wage or Pay Roll Tax. In 1945, actual receipts from this tax were slightly in excess of twenty-two million four hundred thousand dollars and it is estimated that for 1946 the receipts from this one item of revenue will exceed twenty-four million dollars. Baltimore, which last year was granted blanket power by the Maryland State Legislature to levy any new taxes it deemed necessary during the current emergency, has recently adopted four new revenue measures, the estimated receipts of which will yield four million five hundred and fifty thousand dollars. Toledo, in April, of last year, adopted an earned income tax which, it is estimated, will yield annually in excess of four million dollars.

Local government is the bulwark of democracy. In Massachusetts, where the spirit of democracy was cradled and nurtured, it is imperative in these uncertain times that the state exercise its sovereign rights and powers to establish a system of state aid which will provide in an equitable manner for the needs of all units of government within the state. I am confident that under the leadership of the new Chief Executive of our beloved Commonwealth an intelligent and comprehensive program will be developed for augmenting the revenues of Massachusetts municipalities and thus relieve local officials of the necessity for imposing confiscatory levies on real estate.

It is gratifying to state that before this message was submitted to the printer on Friday, his Excellency, the newly-elected Governor, Honorable Robert F. Bradford, in his inaugural message, set forth that it was his purpose, as Governor, to recommend the appointment of a commission similar to those now functioning in fourteen states of the Union, for the relief of the cities and towns of the Commonwealth, and I am quite certain that the members of the General Court will be found supporting this constructive and forward-looking program so essential to the salvation of the cities and towns of Massachusetts.

When I took over the office of Mayor last January, it was to discover what I had anticipated, namely, a colossal and apparently almost insurmountable task of restoring the city credit and correcting the mistakes due in large measure to absolute disregard for the safety, security and welfare of the people by my predecessors during a period of twelve long years. It is not my intention to burden you with a general outline of what has been accomplished, as it is my purpose that each department head of the city shall submit a report as to actual conditions existing on January, 1946, in their respective departments, and what has been accomplished to the present time.

Suffice to say that the Health Department has been reorganized for the welfare and protection of the people and that the good work already underway shall continue unabated until Boston once more becomes the most healthful city in the world in which to labor and live.

The Fire Department, due to neglect and petty politics, from being one of the best departments of its kind in the world had reached the stage where obsolete apparatus not only frequently failed to reach the fire to which it was called upon to respond, but upon reaching the fire was unable to render the service it should render. The fire quarters in which the men were housed were in a condition of decay, a menace to the health and safety of the men in the service and unsuited either for men or apparatus.

To overcome these glaring deficiencies, orders were placed during 1946, for fifty-four new pieces of apparatus involving an approximate expenditure of five hundred and fifty thousand dollars. In addition, appropriations totaling seven hundred

and fifty thousand dollars have been provided for repairs and alterations to eight existing stations and for the construction of three new fire houses. In my 1947 budget recommendations to be submitted to your Honorable Body at a later date, an initial appropriation of roughly one million dollars will be provided to permit the employment of five hundred additional members of the Fire Fighting Force of the department so as to carry out the mandate of the people expressed at the election of last November that the working hours of the members of this department shall not, on the average, exceed forty-eight hours per week.

In order to meet the ever-increasing demands of the Boston City Hospital, a program was initiated during 1946, calling for the ultimate expenditure of five million dollars to provide for the construction of a new surgical building and a new nurses' home. With a view to providing a small measure of relief to persons on the danger list and not in a position to receive proper nursing care, I assigned my congressional salary, amounting to over ten thousand dollars to the City Hospital to provide this nursing care for those unable to pay and who were in need of specialized nursing service.

At Long Island, certain buildings had been abandoned because of the condition of the structures due to absolute neglect and disregard for a period of twelve years. Buildings have been restored and provision has been made for the establishment of a hospital for chronic cases which will greatly relieve the Boston City Hospital at present overburdened with chronic cases, thus preventing acute cases from receiving the attention they should receive.

New boats have been purchased, for use by the Fire Service and by the Long Island Hospital, from the Federal Government at a cost of ninety-three thousand dollars, and which represented a cost to the Federal Government in the vicinity of two million dollars.

The primary functions of a city are the care of its sick, the prevention of disease and the protection of lives and property from the ravages and ruin of conflagration, and to these matters I have directed my first attention.

I am reminded in this connection of what was so well said by the emancipator, Abraham Lincoln, at a trying period in the life of the nation:—"If I were trying to read, much less answer all the attacks made on me, this shop might well be closed for any other business. I do the best I know how, the very best I can; and I mean to keep on doing it to the end. If the end brings me out all right, what is said against me will not amount to anything, if the end brings me out all wrong, ten angels swearing I was right would make no difference."

The work of reconstruction, reconversion and rehabilitation upon which we embarked, at the beginning of 1946 must continue, and as the custodians of a glorious past and great heritage, it is clearly our duty to so work and achieve, that when our labors are ended, all may in truth say, "Well done, thou good and faithful servants."

Thank you! (Applause.)

Chairman LANE—Thank you, Mr. Mayor, for your most interesting, enlightening and informative address.

The Mayor withdrew from the Council Chamber at this point, escorted by Councilors Scannell and Moriarty.

Chairman LANE—A brief recess will follow, until the two departed councilors return in a few minutes.

(Short recess.)

Chairman LANE—The Council will be in order. The Chair awaits the pleasure of the Body.

ELECTION OF PRESIDENT OF COUNCIL.

Coun. COFFEY—I make a motion we now proceed with the election of the President for 1947.

Chairman LANE—Councilor Coffey makes a motion that we now proceed with the election of a President for 1947. Councilor Cook,—for what purpose does the gentleman rise?

Coun. COOK—Are we to be informed as to the accuracy of the city record, calling it to the attention of those who keep the account that they should be more careful? In looking over page 9 of the City Council records of the election last year, unless I have lost my eyesight or ability to count, our President was elected with 9 ballots. I would like that changed now and corrected.

Chairman LANE—The Chair will declare it was a mistake in printing. Councilor Cook, your thought is not debatable at this time. A motion is before the Chair to proceed with the election of a President, and the clerk will call the roll. Councilor Hannon,—for what purpose does the councilor rise?

Coun. HANNON—To talk. Mr. President, in aspiring to the office of councilor, there is no doubt about it but that each and every one of the twenty-two of us entered into a contest, and that twenty-two of us who are now here were successful. In that contest undoubtedly we were forced to place our qualifications against the qualifications of each and every other candidate, and each one of us thought that he had qualifications enough to offer himself as a candidate to the people, and each and every one of us assured the people of his respective district that if he was fortunate enough to be elected, he would get on his feet and fight the fight of the people of his district. Undoubtedly, most of us have carried out that promise. Undoubtedly, today, too, some will say, "Gee, I wish he would keep quiet. Can't we get this over with?" And I suppose if I was one of the lucky ten or twelve who were called down and whispered to, undoubtedly, I would do the same thing. But, unfortunately or otherwise, I happen to be one of those who goes his own way and tries to do what he thinks is best for Ward 13. Now, understand me, I have no ill feeling against anybody in the Council. I have been in politics for a long while, and I have had many victories and I have had many defeats, and whether in victory or in defeat, I have always prided myself on the fact that I could walk along with my hat on my head, and I did not have to be ashamed to speak to anybody. I don't find fault with his Honor in many respects, and I have gone along with him year in and year out, not merely here but up in the Legislature when the going was often tougher, when a vote one way or the other would cause him defeat or the passage of sums amounting to millions of dollars. I would give his Honor the doubt. He told me out and out what was what; he did not jump, he did not cringe. He told me he was going along with the man who is in there. That is good enough for me, and apparently it is good enough for him. I find no fault with him going along with anybody. The fault does not lie with him. The fault lies right up here. The fault lies with the people who are going to vote. When each of us sought election, we asked the people of the district to vote for us because each one of us professed he was the best qualified of the various candidates. We up here now are electing somebody else. We are electing somebody to represent us. There is no doubt about it, each one of the twenty-two of us is not just as capable as the other fellow, and yet, doesn't the same duty fall upon us as falls upon the common electorate? Aren't we supposed, too, to use our God-given intelligence? Aren't we supposed, too, to weigh the qualifications and the merits of each and every candidate? Let us not kid ourselves. Any one of the twenty-two up here would be proud to be President of this Body. It would not be human to be otherwise, and each and every one would gladly grasp the honor if we could reach for it, and each and every one of us is equally entitled to it. I have had the honor in the past, and I appreciate it and I remember it, and I stepped aside and nominated another man who had rendered equally good service, and I moved that he be elected to succeed me. However, we know that each and every one of us is not going to have the opportunity to be elected President and, therefore, for two or three reasons the duty devolves upon us even more so than upon the electorate itself to vote for that man who is best qualified. It is our choice. It is not his Honor the Mayor's and it is not any of his lieutenants' choice. It is the choice of each and every councilor in here, and each and every councilor has the duty and the task and the solemn pledge even of voting for the man who is best qualified. Each one of us has certain qualifications. Each one of us certainly is able to read and write. Each one of us undoubtedly is able to talk. Each one of us without any question is capable of presenting orders and of reasoning matters to a just conclusion. But this is one day in the year when we are called upon to do something that reflects credit or discredit upon each and every one of us for the ensuing 359 days. We are called upon here to pick one amongst us, one from among twenty-two who have been called by the people. We are called upon to pick one of our own today,

one of us, one who will reflect credit upon us. It is a great honor to be President of this Body, and it is an honor that not everybody here is going to be permitted to share. Why should it not be passed around? Why, then, should not somebody else be given that honor? Why, then, should we not vote as we ask people to vote for us on primary and election day.— vote for the man who is best qualified? What qualifications should we look for in the President of this Body? Certainly, first of all, he should be a man of education. Everybody here has certain abilities. Everybody here has certain schooling. But there are others who have gone further, either in the business world or in the professional world. There are some here who have more special qualifications than others. I think first of all in a President we should have a man of exceptional educational qualifications, whether that education be acquired in the world of schools or in the world of business. Certainly, the man should be of high educational standard. This year, beyond other years even, the presidency of this Council might mean far more than it has meant. Many of us, all of us practically, have knowledge of what is in the wind. What are they going to do to the City of Boston Charter? What are they going to do to the City Council? We have discredited ourselves by our wrangling, by our continued discussions, by our constant late sessions. Wouldn't it be better if we had a man in the Chair who had more legislative experience? Wouldn't it be better if we had a man presiding over this Body who had some standing in the State House? Wouldn't it be better if we had a man as President of this Council who has been in the Legislature, a man who could go up there and if possible present our case and, if possible, too, receive further and greater consideration not only for the City of Boston Charter but also for the Boston City Council?

Then, further, as in the past, I always point with pride to many men in this Council. I point with pride to the gentleman from Ward 7 (Councilor Linehan), the gentleman from Ward 12 (Councilor Cook), the gentleman from Ward 10 (Councilor Carey), men who have had experience in business; to men like the gentleman from Ward 2 (Councilor Kinsella), the gentleman from Ward 1 (Councilor Coffey), who has been in the Legislature. Men who have gone through this know what it is to preside over a body and really can bring to that position some weight both in learning, experience and prestige. Further than that, I say we have here amongst us a man whom I have always greatly admired. When I was in the Legislature, he was kind enough to nominate me to be the Democratic floor leader; when I was fortunate enough to be elected to the Boston City Council, it was my good fortune to be able to nominate him for President of this august body. I refer, of course, to the gentleman from Ward 7, Councilor Linehan. I feel honestly and sincerely that he embodies in his character, he embodies in his person every qualification that one could possibly look for in a man who is to preside over this Body. Above and beyond that, this man, unwell though he was, offered himself to the service of his country and he left here, not merely as a councilor but as President of the Boston City Council. He gave that up, and enlisted in the service of his country. You and I and every politician have thought and hollered that the veteran should get back that which he has given up, and I say to you, if we ask it for other veterans, why not do it for ourselves? He gave up the presidency and went into the service. He is back here with us now. Last year we were assured that this was only a one-year hiatus and after that the veterans were to be recognized and the man who gave up his job was going to get it back again, but this year we come in and find out the hiatus has been stretched another year. The events that had been foreseen or had been predicted have not happened last year. They might happen this year, so they want to keep the same little group in power, keep them in for another year, and then if these ill events, the forebodings do not happen this year, we will come back again. Frank will sit downstairs with James Michael and everybody will be called down and get the old "kiss of death," "Yes, boys, not five minutes more but one year more." I know John B. Kelly. Johnnie and I used to be good friends — Councilor Kelly, pardon me. We used to be good friends. Last year I voted for Councilor Linehan and that deprived me of Councilor Kelly's friendship. The gentleman has never seen fit to speak to me since except

when I bump into him in the elevator, despite the fact that in politics you are supposed to take your lickings as gracefully as you take a victory. We cannot all win, and the twenty-one of us very, very seldom are going to be behind the same man. I voted last year for Councilor Linehan, and I am voting for him again this year, and I say, with all due respect to the other twenty-one members of this Body, that we cannot vote for a man who is more capable, for a man who is better qualified. I know some may say, "Well, he has differed with the Mayor." True enough, he has differed, and that is what I like about him. He is not afraid of differing with him, and the times he has differed with him I felt he has differed because he honestly felt that he was right, and his Honor was wrong. His main difference has been over veterans' matters and veterans' affairs, and it was he, and he alone, who was responsible for the city obtaining permission to borrow \$10,000,000 in order to provide proper housing facilities for the veterans of the City of Boston. This fellow, sick though he might be, has been on his feet and has fought a good fight. I say if we had half his guts we would stick together. This is our election, not the Mayor's, not Frank Kelly's. My vote goes to the man who is as well qualified, if not better, than any man in here, and that man is the man who relinquished the presidency of the Boston City Council in order to enter the service. He is back with us now, and I think he should be restored to the chair he gave up, and I mean Councilor Bob Linehan.

Chairman LANE—The question now is on the election of a President, and the clerk will call the roll. Will the members respond in a clear tone as their names are called?

The clerk called the roll, and the vote was as follows:

For Councilor Carey—Councilor Linehan—1.
For Councilor Cook—Councilor Madden—1.
For Councilor Kelly—Councilors Bryan, Cantwell, Coffey, Fish, Hurley, Kelly, Kinsella, McCormack, Moriarty, Russo, Scannell, Sullivan—12.
For Councilor Linehan—Councilors Bayley, Chase, Hannon, Keenan, Lane, Muehnick—6.
For Councilor Madden—Councilor Cook—1.
For Councilor Sullivan—Councilor Carey—1.
Chairman LANE—Councilor Kelly has 12 votes, and is elected President of the City Council for the year 1947. Councilor Muehnick.
Coun. MUCHNICK—I yield to Councilor Linehan.

Chairman LANE—Councilor Linehan.
Coun. LINEHAN—I now move that the vote be made unanimous.

Chairman LANE—The Chair cannot accept that motion. You can change your own vote if you wish.

Coun. LINEHAN—Mr. President, I ask unanimous consent to make a statement.

Chairman LANE—Councilor Linehan asks unanimous consent to make a statement. Does the Chair hear any objection? No objection being voiced, Councilor Linehan may proceed.

Coun. LINEHAN—Mr. President and fellow councilors, at the outset I want to thank the distinguished councilor from Ward 13 (Councilor Hannon) for the splendid endorsement he made for me in his nominating speech. It brings back to my mind the time I actually was a candidate just prior to going into the service in 1942. At that time I can honestly say there was no Mayor of Boston in back of me for the presidency of this Body. At no time during that election had I made any request to any councilor for his vote, and I can safely say here today, regardless of the splendid nominating speech by Councilor Hannon, I never at any time was actually a candidate because I never asked any councilor in here for a vote. It has been told to me on more than one occasion in the last week it was already in the bag, and certainly, rather than that, I took it for granted it was not in the bag. Before I close my remarks, I want to say to the men who voted for me, you certainly have a lot of guts, you have a lot of courage because you all know when you vote for Councilor Linehan you are taking an awful chance with the people downstairs, and certainly for that reason alone, being a politician, I realize you had to have faith in what is being done in your own district, and you were going to have a tough time when you voted for Linehan, even though you thought he was qualified for the job. Some of us realize that with politicians qualifications do not always prevail, but I will

simply say this to the members who voted for me here today and also the other members, that I will continue to fight for honest, decent government in the City Council of Boston. I will be with the Mayor when he is right, but I will be against the Mayor and with the taxpayers when I think he is wrong. In conclusion, I want to extend to Councilor Kelly the best of good luck this year. As far as I am concerned, I will cooperate with him 100 per cent to see that this city is well represented in the City Council because I know in the coming year there will be the Plan E discussions, and if we do not all cooperate and be real democratic, we don't know that we will have a Council next year; we might not have twenty-two councilors in the near future. I hope for that reason alone we all get together and be a big, happy family. Thank you very much.

Chairman LANE—The Chair will appoint Councilors Coffey and McCormack to escort John B. Kelly, our new President for 1947, to the chair.

President KELLY in the chair.

President KELLY—Ladies and gentlemen, there is one thing I have always had in my life, and that is gratitude. I certainly appreciate being up here in this rostrum for the year 1947. I want to thank his Honor the Mayor for endorsing my candidacy, and I also want to thank the man who made it possible for me to first sit in this Council Chamber ten years ago, my brother Frank, and I also want to thank the members of the City Council for their kindness in re-electing me as their President for the year 1947, because by doing so the members have shown to me that I conducted matters as President of this Honorable Body in a fair and impartial manner. I am friendly with every member in this Body and have been friendly for ten years, and I will continue to remain on the best of friendly terms. I want to say in conclusion that I shall conduct the office of President of the Boston City Council in the same manner I conducted it in 1946, in a fair and impartial manner. Thank you very much. (Applause.)

The Chair recognizes Councilor Hurley.

Coun. HURLEY—Mr. President, I think it is an honor conferred upon me to make a presentation to you. I want to say, Mr. President, that I hope you wield this gavel in the same fair, just and impartial manner you have used it in the past. I have observed you over the past year presiding over this Honorable Body and a lot of times I wondered how you could be so fair, handing hackwards to be fair with all men in the Body. Therefore, Mr. President, I want to present you with this gavel, and once again will say you will continue the fine, just and fair work you have done in the past. (Applause.)

President KELLY—I want to thank Councilor Hurley for his kind remarks, and I will reiterate, I will continue to conduct the office of president in a fair and impartial manner the same as I did last year.

JURORS DRAWN.

Jurors were drawn, Councilor McCormack presiding at the ballot box in the absence of the Mayor, for the drawing of sixty-five traverse jurors, Superior Criminal Court, and Councilor Bryan presiding for the drawing of one hundred sixty-eight jurors, Superior Civil Court, and Councilor Carey presiding for the drawing of sixty-five additional jurors, Superior Criminal Court, as follows:

Sixty-five additional traverse jurors, Superior Criminal Court, to appear January 20, 1947:

Frank Cintolo, Ward 1; James Granata, Ward 1; Joseph Matina, Ward 1; Anthony R. Scala, Ward 1; Antonio Zaccaria, Ward 1; William H. McManus, Ward 2; Arthur O'Connor, Ward 2; Charles Carletti, Ward 3; Charles Krinsky, Ward 3; George P. Shaheen, Ward 3; Frank E. Blasser, Ward 4; Joseph H. Caulfield, Ward 4; Philip M. Miner, Ward 5; Laurence G. Wesson, Ward 5; Patrick L. Flaherty, Ward 6; Thomas J. Eaton, Ward 7; Henry M. McKenney, Ward 7; William J. Parr, Ward 7; William F. Strohel, Ward 7; William Montello, Ward 8; James F. Henry, Ward 9; David W. Kelly, Ward 9; William V. Page, Ward 9; Frank M. Connell, Ward 10; Michael Kane, Ward 10; Martin E. Mulkeen, Ward 11; Frank L. Davis, Ward 12; Eli Goodman, Ward 12; Leo W. Gray, Ward 12; Abraham J.

Wallace, Ward 12; Warren J. Hurley, Ward 13; David Poster, Ward 12; Arthur H. Jenkins, Ward 13; Joseph Berman, Ward 14; Basil Cogswell, Ward 14; George O. Dwyer, Ward 14; Jacob Shurin, Ward 14; Gilbert E. Taillon, Ward 14; Axel Anderson, Ward 15; Abraham Fine, Ward 15; Alfred J. Hare, Ward 15; Joseph H. Sullivan, Ward 15; James Kearney, Ward 15; Henry M. Bennett, Ward 16; Rinaldo A. Dehenedetti, Ward 16; John R. MacDougall, Ward 16; John F. O'Connor, Ward 16; Harold R. Stonehurst, Ward 16; Cornelius G. Doherty, Ward 17; William G. Manuel, Ward 17; Henry J. Wood, Ward 18; Francis A. Donahue, Ward 19; Joseph J. Hannon, Ward 19; Wade H. Jones, Ward 19; John Rosario Lentine, Ward 19; Patrick J. Lehane, Ward 20; John L. Mellyn, Ward 20; Ferdinand P. Reichardt, Ward 20; Robert J. Ruedy, Ward 20; James L. Wood, Ward 20; Bernard M. Keniston, Ward 21; Joseph A. Smith, Ward 21; Leo W. Burns, Ward 22; James J. Conlin, Ward 22; Harry H. Slobodkin, Ward 22.

Sixty-five traverse jurors, Superior Criminal Court, to appear February 3, 1947:

Paul J. Anderson, Ward 1; Anthony J. Casa, Ward 1; Pasquale Catalano, Ward 1; William F. J. Doherty, Ward 1; George Giler, Ward 1; Rosford Kelsey, Ward 1; Arthur Newhook, Ward 1; Robert N. Nielson, Ward 1; John Anthony Siraco, Ward 1; Michael F. Buckley, Ward 2; William Graham, Ward 2; Nicholas Kelley, Ward 2; George Albert Rohhins, Ward 2; Antonio Aceto, Ward 3; Frank T. Lansing, Ward 3; James F. Bailey, Ward 5; George J. Carpenter, Ward 5; William F. Geary, Ward 5; Giacomo Luvisi, Ward 5; Michael J. Elyko, Ward 6; Raymond L. Allen, Ward 7; Augustine J. Bilinskas, Ward 7; Ralph F. Freehette, Ward 7; Stephen Smith, Ward 9; Timothy H. Hourihan, Ward 10; Patrick Mathews, Ward 10; John J. O'Connor, Ward 10; Max Andelman, Ward 12; Bernard Miller, Ward 12; Howard J. Taft, Ward 12; Patrick J. O'Keefe, Ward 13; Israel Cutler, Ward 14; Carlisle Griefman, Ward 14; Edward M. Mogel, Ward 14; George M. Richmond, Ward 14; Samuel Riseman, Ward 14; Isaac Rosnov, Ward 14; Henry Sezak, Ward 14; Teddy R. Joyce, Ward 15; Dewey Duval, Ward 16; James A. Geehan, Ward 16; Harry F. Roghaar, Ward 16; John V. Lee, Ward 17; Joseph A. May, Ward 17; Donald G. Montgomery, Ward 17; William Smith, Ward 17; Stephen Barker, Ward 18; Samuel Bornstein, Ward 18; William H. Bowser, Ward 18; Samuel P. Gordon, Ward 18; Douglas M. Strachan, Ward 18; Albert H. Curran, Ward 19; James Dyer, Ward 19; Edmund J. Lawlor, Ward 19; Daniel W. MacLean, Ward 19; Joseph A. Patterson, Ward 19; James Hartley Mair, Ward 20; Patrick McHugh, Ward 20; Frederick S. Sanderson, Ward 20; Frank L. Spiegel, Ward 20; Emil W. Boire, Ward 21; Henry Frankel, Ward 21; Joseph Rosengrad, Ward 21; Lawrence Marshall, Ward 22; Philip J. Ryan, Ward 22.

One hundred sixty-eight traverse jurors, Superior Civil Court, to appear February 3, 1947:

Charles Balzotti, Ward 1; Anthony Capodilupo, Ward 1; Anthony Cretara, Ward 1; Arthur Ferrero, Ward 1; John F. Krehs, Ward 1; Peter McCormack, Ward 1; William F. Murphy, Ward 1; Webster A. Rich, Ward 1; James V. White, Ward 1; John F. Clark, Ward 2; Edward A. Leary, Ward 2; John F. McLaughlin, Ward 2; Charles J. Hickey, Ward 3; Louis Joseph, Ward 3; Alfred Ravanasi, Ward 3; Chester E. Bonney, Ward 4; Thomas F. Bowers, Ward 4; Charles DePass, Ward 4; Arthur Duccini, Ward 4; Samuel W. Eldridge, Ward 4; Henry J. Bangert, Ward 5; Ernest F. Capen, Ward 5; Michael J. Charles, Ward 5; William C. Hutt, Ward 5; John L. MacLean, Ward 5; William L. McLaughlin, Ward 5; Frank Ottino, Ward 5; Joseph P. Reagan, Ward 5; John Baltrusmas, Ward 6; Patrick V. Kennedy, Ward 6; Francis C. Madden, Ward 6; John Joseph O'Neil, Ward 6; George Rushton, Ward 6; Charles F. Ryan, Ward 6; John L. Serra, Ward 6; Isidore Shapiro, Ward 6; Paul Solagua, Ward 6; John J. Suple, Ward 6; Thomas F. Connolly, Ward 7; James Costello, Ward 7; William H. Donohue, Ward 7; William Joseph Maguire, Ward 7; Clinton B. Matthews, Ward 7; John V. Sullivan, Ward 7; Harold L. Daniels, Ward 8; Archibald E. Harris, Ward 8; Robert M. McLaughlin, Ward 8; John J. Rothen, Ward 8; Edward J. Crawford, Ward 9; Frederick L. Grant, Ward 9; Luther M. Hester, Ward 9; Ethelbert A. Lyken, Ward 9; Joseph J. Savoy,

Ward 9; Louis A. Chiachia, Ward 10; Thomas C. DeWet Deconreay, Ward 10; Denis J. McCarthy, Ward 10; John E. McLaughlin, Ward 10; John J. Mitchell, Ward 10; George L. O'Brien, Ward 10; Michael O'Leary, Ward 10; Reginald O. Smith, Ward 10; Richard A. Torpey, Ward 10; Samuel A. Vernon, Ward 10; John E. Bernard, Ward 11; Daniel A. Dacey, Ward 11; John R. Dale, Ward 11; Frank B. Flagg, Ward 11; Russell T. King, Ward 11; Jacob Klemens, Ward 11; Philip McCallion, Ward 11.

Joseph Ellison, Ward 12; Jacob Koresky, Ward 12; Lawrence M. Bryan, Ward 13; John F. Burke, Ward 13; John E. Condon, Ward 13; Lawrence E. Green, Ward 13; Michael J. O'Connell, Ward 13; Oscar E. Tisdale, Ward 13; Charles E. Williams, Ward 13; Frank Barber, Ward 14; Hyman Bornstein, Ward 14; Samuel Cohen, Ward 14; Samuel Franklin, Ward 14; Paul Geller, Ward 14; Paul Green, Ward 14; Ralph Kagan, Ward 14; Daniel Leavitt, Ward 14; Christian Mayer, Ward 14; Abraham Needleman, Ward 14; Charles Rubin, Ward 14; George J. Snyder, Ward 14; Barney Swartz, Ward 14; Joseph Trust, Ward 14; Barnet Zimmerman, Ward 14; Timothy T. Bolger, Ward 15; Russell W. Bradley, Ward 15; Joseph A. Daley, Ward 15; Harold T. DeLorey, Ward 15; Howard I. Grover, Ward 15; James Kelly, Ward 15; Martin E. King, Ward 15; Cornelius Mahoney, Ward 15; James Morrissey, Ward 15; George H. Mozart, Ward 15; Cecil Armstrong, Ward 16; Thomas F. Hanley, Ward 16; Thomas J. Jordan, Ward 16; John C. MacKay, Ward 16; John A. McKenna, Ward 16; George R. Ahl, Ward 17; Joseph L. Anderson, Ward 17; Leon W. Barritt, Ward 17; Duncan W. Goodwin, Ward 17; William Milne, Ward 17; Thomas F. O'Brien, Ward 17; Charles J. O'Shea, Ward 17; Philip Shanefsky, Ward 17; Joseph J. Allen, Ward 18; Peter D. Beaton, Ward 18; Richard C. Belleville, Ward 18; Thomas Conlon, Ward 18; Frederick V. Cook, Ward 18; Alfred G. Dornlas, Ward 18; Victor J. Fox, Ward 18; Joseph F. Herget, Ward 18; John J. Muirhead, Ward 18; J. Raymond O'Donnell, Ward 18; Russell E. Reynolds, Ward 18; Donald J. Sweeney, Ward 18; Frank J. Tierney, Ward 18; Kenneth L. Bragg, Ward 19; Albert H. Chamberlin, Ward 19; Andrew W. Dancer, Ward 19; Eugene E. MacLaurin, Ward 19; John Johnston, Ward 19; Henry E. Sherman, Ward 19; Samuel B. Taxie, Ward 19; Alfred E. Ulrich, Ward 19; John A. Whipple, Ward 19; Alexander V. Wisniewski, Ward 19; Benjamin R. Files, Ward 20; Robert L. Holman, Ward 20; Timothy L. Kenney, Ward 20; Fred L. Mitchell, Ward 20; Timothy E. O'Shea, Ward 20; Aloysius B. Wessling, Ward 20; Abraham Bloom, Ward 21; Herbert J. Carlin, Ward 21; Moses Cibley, Ward 21; William Coleman, Ward 21; Charles R. Dearborn, Ward 21; Thomas N. Elworth, Ward 21; Ernest R. G. Groom, Ward 21; William Hahn, Ward 21; Herbert W. Lowe, Ward 21; Eben J. McIntosh, Ward 21; Donald A. Sherman, Ward 21; Marshall St. Germain, Ward 21; Edward F. Whalen, Ward 21; Kenneth Wilbur, Ward 21; Harold A. Daggett, Ward 22; Ernest P. Foley, Ward 22; Robert K. Libby, Ward 22; Joseph F. Murphy, Ward 22; Charles H. Reilly, Ward 22; James P. Sharpe, Ward 22; William M. Wilson, Ward 22; Cecil J. Yorke, Ward 22.

VETO OF LICENSE TO SUTCLIFFE TRANSPORTATION COMPANY.

The following was received:

City of Boston,
Office of the Mayor, December 31, 1946.
To the City Council.

Gentlemen,—I return herewith, without my signature and disapproved, the vote of your Honorable Body of December 16, 1946, granting a license to the Sutcliffe Transportation Company to operate motor vehicles between the Airport and Copley Square.

The law (General Laws, chap. 159A, secs. 1 and 2) authorizing the City Council and the Mayor to license the use of the streets for the carrying of passengers by motor vehicles provides that such vehicles shall operate only over a specific route set forth in the application and license and the route cannot be varied by the licensee except in an emergency.

This is one of the most important provisions of the law, and it is evident that it was enacted to enable the licensing authorities to take into con-

sideration the traffic problems involved before approving any particular route.

The application of the company and the proposed license specifies no particular route and authorizes the operation of motor buses over practically all of the through streets in the most congested traffic section of the city from Copley Square to the water front.

Whatever may be the ultimate object of the company, the license proposed amounts to a franchise to permit the buses of this company to roam at will over the streets of downtown Boston picking up and discharging passengers, and there is no limit set to the number of vehicles which may be so used.

This non-compliance with the plain terms and intent of the statute is sufficient reason to require my disapproval of the license.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments as constables without power to serve civil process and to serve without bond for term ending April 30, 1947, viz.:

Edward F. Collins, 330 Hyde Park avenue, Boston; James Finigan, 10 Burr street, Jamaica Plain.

President KELLY—Referred to the Committee on Constables and Confirmations.

Coun. SULLIVAN—Mr. President.

President KELLY—Councillor Sullivan.

Coun. SULLIVAN—Is the committee standing?

President KELLY—The committee stands, but no members have been appointed. What do you have in mind?

Coun. SULLIVAN—If we are not going to appoint them today, it will be delayed, and I move you take it back from the committee and lay it on the table.

President KELLY—Councillor Sullivan makes a motion that this matter lay on the table for a week and be carried on the calendar at the next meeting. Councillor Russo?

Coun. RUSSO—I wonder if I am in order. Realizing that you have not appointed new committees, could the old committees stand temporarily until you select such committees or appoint such committees?

President KELLY—I am sorry, councillor, the old committees went out of existence. All those in favor say aye, those opposed no, it is a vote and so ordered. The matter is laid on the table to appear on next Monday's calendar.

PEDESTRIAN TRAFFIC LIGHT, DOR- CHESTER STREET AND OLD COLONY AVENUE.

The following was received:

City of Boston,
Office of the Mayor, January 6, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commission, relative to your order dated December 26, 1946, concerning the regulation of the pedestrian traffic light at the corner of Dorchester street and Old Colony avenue, Ward 7.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Traffic Commission, January 3, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—This is in reply to Council order dated December 26, 1946, which reads as follows:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to regulate the pedestrian traffic light at the corner of Dorchester street and Old Colony avenue, Ward 7, so that it will stay on longer and give pedestrians a better chance to cross this dangerous intersection in safety.

On December 27, 1946, the twelve-second pedestrian period was placed in the traffic cycle at the above intersection.

Very truly yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

LIGHTING OF HUNTINGTON AVENUE FROM OPERA PLACE TO BROOKLINE LINE.

The following was received:

City of Boston,
Office of the Mayor, January 6, 1947.
To the City Council.
Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, in reply to your order dated December 9, 1946, concerning lighting of Huntington avenue, from Opera place to the Brookline line.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
December 28, 1946.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works extend the white way on Huntington avenue, from Opera place to the Brookline line, and this will advise you that a survey will be made of the above-mentioned area by the Lighting Service of the Public Works Department with a view to improving existing conditions.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

INCREASED ANNUITIES TO WIDOWS OF CERTAIN POLICEMEN AND FIREMEN.

The following was received:

City of Boston,
Office of the Mayor, January 6, 1947.
To the City Council.
Gentlemen,—I am transmitting herewith a communication received by me today from the Corporation Counsel which would seem to be self-explanatory.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Law Department, January 6, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—You have forwarded to me the order passed by the City Council on October 14, 1946, requesting me to draft legislation "that will permit the City of Boston to change the amount of the annuity payable to widows of policemen and firemen, from the present \$1,000 to \$1,500 and to change the present allowance of \$200 to children under the age of eighteen, to \$300."

The annuities presently provided for by General Laws (Ter. Ed.) c. 32, s. 89, as amended, are the following:

"To the widow, so long as she remains unmarried, an annuity not exceeding one thousand dollars a year, increased by not exceeding two hundred and sixty dollars for each child of such deceased person during such time as such child is under the age of eighteen or over said age and physically or mentally incapacitated from earning; and, if there is any such child and no widow or the widow later dies, such an annuity as would have been payable to the widow had there been one or had she lived, to or for the benefit of such child, or of such children in equal shares, during the time aforesaid; and, if there is any such child and the widow remarries, in lieu of the aforesaid annuity to her, an annuity not exceeding five hundred and twenty dollars to or for the benefit of each such child during the time aforesaid; and, if there is no widow and no such child, an annuity not exceeding one thousand dollars to or for the benefit of the father or mother of the deceased or to or for the benefit of an unmarried or widowed sister of the deceased with whom he was living at the time of his death, if such father, mother or sister was dependent upon him for support at

the time of his death, during such time as such beneficiary is unable to support himself or herself and does not marry. . . . If such deceased person was a reserve or special policeman or a reserve or call fireman of a city or town and, at the time he was killed or at the time he received the injuries or underwent the hazard resulting in his death, was performing duty to which he was assigned or called as such policeman or fireman and for the performance of which he was entitled to compensation from said city or town, the total amount of all such annuities shall not exceed the annual rate of compensation payable to a regular or permanent member of the police or fire force thereof, as the case may be, for the first year of service therein, and if there are no regular or permanent members of the police or fire force thereof, as the case may be, said total amount shall not exceed the sum of one thousand dollars."

Enclosed is the draft of a bill which would increase these annuities by 50 per cent in accordance with the spirit of the City Council's order.

Respectfully,
JOSEPH A. SCOLPONETI,
Corporation Counsel.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled:

The undersigned, citizens of , respectfully petition for the passage of the accompanying bill and/or for legislation increasing annuities to dependents of certain public employees killed or dying from injuries received or hazards undergone in the performance of duty, substantially as set forth in the accompanying bill, and for such other, further or similar legislation, if any, as may be necessary or advisable to accomplish the purposes and objects referred to.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Forty-Seven.

An Act increasing annuities to dependents of certain public employees killed or dying from injuries received or hazards undergone in the performance of duty.

Section eighty-nine of chapter thirty-two of the General Laws, as most recently amended by chapter six hundred and ninety-six of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—If a member of the police or fire force, or a forest warden, of a city or town, or a member of the department of public safety doing police duty, or an investigator or examiner of the registry of motor vehicles in the department of public works doing police duty, or an inspector, investigator or industrial relations adjuster in the department of labor and industries, or a prison officer or any technical employee of the department of public works or public health, of the metropolitan district commission, or of the division of metropolitan planning, included in class twenty-seven of rule four of the civil service rules, is killed, or dies from injuries received, or dies as a natural and proximate result of undergoing a hazard peculiar to his employment, while in the performance of his duty, and it shall be proved to the satisfaction of the appropriate public authority as hereinafter defined that such death was the natural and proximate result of an accident occurring, or of undergoing a hazard peculiar to his employment, while he was acting in the performance and within the scope of his duty, and a majority of the members of a board consisting of two physicians designated by the public authority hereinafter defined, and one physician to be designated by the commissioner of public health, shall certify to the treasurer of the body politic and corporate by which the compensation of such deceased person was payable, that the death was the natural and proximate result of the said injury or hazard, there shall, except as hereinafter provided, be paid out of the treasury of such body politic and corporate, to the following dependents of such deceased person the following annuities: To the widow, so long as she remains unmarried, an annuity not exceeding fifteen hundred dollars a year, increased by not exceeding three hundred and ninety dollars for each child of such deceased person during such time as such child is under the age of eighteen, or over said age and physically or mentally incapacitated from earning; and, if there is any such child and no widow or the widow later dies, such an annuity as would have been payable

to the widow had there been one or had she lived, to or for the benefit of such child, or of such children in equal shares, during the time aforesaid; and, if there is any such child and the widow remarries, in lieu of the aforesaid annuity to her, an annuity not exceeding seven hundred and eighty dollars to or for the benefit of each such child during the time aforesaid; and, if there is no widow and no such child, an annuity not exceeding fifteen hundred dollars to or for the benefit of the father or mother of the deceased, or to or for the benefit of an unmarried or widowed sister of the deceased with whom he was living at the time of his death, if such father, mother or sister was dependent upon him for support at the time of his death, during such time as such beneficiary is unable to support himself or herself and does not marry. The members of said board to be designated by the public authority and the commissioner of public health, as aforesaid, shall be so designated within thirty days after the filing of an application for an annuity hereunder, and said members shall make their report within sixty days after their appointment. The total amount of all such annuities shall not, except as hereinafter provided, exceed the annual rate of compensation received by such deceased person at the date of his death. If such deceased person was a reserve or special policeman or a reserve or call fireman of a city or town and, at the time he was killed or at the time he received the injuries or underwent the hazard resulting in his death, was performing duty to which he was assigned or called as such policeman or fireman and for the performance of which he was entitled to compensation from said city or town, the total amount of all such annuities shall not exceed the annual rate of compensation payable to a regular or permanent member of the police or fire force thereof, as the case may be, for the first year of service therein, and if there are no regular or permanent members of the police or fire force thereof, as the case may be, said total amount shall not exceed the sum of fifteen hundred dollars. The amount of any such annuity shall from time to time be determined within the limits aforesaid by the appropriate public authority as hereinafter defined.

Placed on file.

LOAN IN ANTICIPATION OF REVENUE.

The following was received:

City of Boston,

Office of the Mayor, January 6, 1947.
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 1947 of temporary notes in an amount not to exceed \$40,000,000. I respectfully recommend consideration and adoption of this order by your Honorably Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,

Auditing Department, January 6, 1947.

Hon. James M. Curley,
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. Last year the maximum amount of temporary borrowing authorized by the Council was \$40,000,000. 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 1947, 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 \$40,000,000 in the total, in anticipation of the revenue of the financial year; that all such notes or certificates of indebtedness 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 rates 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.

The question came on the passage of the order, and the order was given its first reading and passage, yeas 18, nays 0:

Yeas—Councillors Bayne, Bryau, Cantwell, Chase, Coffey, Fish, Hurley, Keenan, Kelly, Kinsella, Lane, Linchan, Mudden, McCormack, Moriarty, Russo, Seannell, Sullivan—18.

Nays—0.

The order will take its second reading and passage in not less than forty-eight hours.

President KELLY—Councillor Seannell.

Coun. SCANNELL—Mr. President, I move the petition of the Columbia —

President KELLY—Wait a minute, councillor. We have further communications.

APPROPRIATIONS FOR FIRST FOUR MONTHS OF 1947.

The following was received:

City of Boston,

Office of the Mayor, January 6, 1947.

To the City Council.

Gentlemen,—Under the provisions of section 3-A of the City Charter, City and County officers who are authorized to make expenditures in the period after the expiration of any fiscal year and before the regular appropriations have been made by the City Council are restricted in incurring liabilities during such interval for regular employees to an amount not exceeding in any one month the average monthly expenditure of the last three months of the preceding fiscal year. This limitation would make it impossible to carry out my plan to make the Emergency Compensation Allotment a part of the permanent salary, the authority for the payment of which expired on December 31, 1946, and also prevent employees from receiving the additional general increase in compensation.

In order to make the proposed increases effective as of January 1, 1947, I am forwarding herewith an order appropriating amounts which are estimated will provide for the Personal Service requirements for the various City, County and Revenue Departments for approximately the first four months of the current year. The balance of the appropriations for this purpose will be included in my budget recommendations to be submitted to your Honorably Body on or before the first Monday in February. In order that there may be no delay in the payment of the current pay rolls, I recommend immediate consideration and adoption of this order by your Honorably Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the respective sums of money specified in the schedules hereinafter set out be, and hereby are, appropriated for the purposes hereinafter specified, said sums to be raised by taxation on the polls and estates in the City of Boston, and that all orders hereafter passed by the City Council relating to appropriations, taxes and the interest thereon, apply to the appropriations and taxes herein provided for; and that the expenditures for Revenue Departments be met from the income of such departments and that any expenditures in excess of the income be met from taxes.

CITY OF BOSTON.

ART DEPARTMENT.

A. Personal Service:	
1. Permanent Employees.....	\$200

ASSESSING DEPARTMENT.

A. Personal Service:	
1. Permanent Employees.....	\$141,600
2. Temporary Employees.....	31,200
	<hr/>
	\$172,800

AUDITING DEPARTMENT.

A. Personal Service:	
1. Permanent Employees.....	\$39,000
3. Unassigned.....	500
	<hr/>
	\$39,500

BOSTON RETIREMENT SYSTEM.	
A. Personal Service:	
1. Permanent Employees.....	\$13,200
BOSTON TRAFFIC COMMISSION.	
A. Personal Service:	
1. Permanent Employees.....	\$47,300
2. Temporary Employees.....	2,000
	\$49,300
BUDGET DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$5,000
3. Unassigned.....	500
	\$5,500
BUILDING DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$77,500
2. Temporary Employees.....	22,000
	\$99,500
Board of Appeal.	
A. Personal Service:	
1. Permanent Employees.....	\$5,000
Board of Examiners.	
A. Personal Service:	
1. Permanent Employees.....	\$1,950
CITY CLERK DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$18,000
CITY COUNCIL.	
A. Personal Service:	
1. Permanent Employees.....	\$28,600
2. Temporary Employees.....	700
	\$29,300
CITY PLANNING BOARD.	
A. Personal Service:	
1. Permanent Employees.....	\$9,750
COLLECTING DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$32,000
2. Temporary Employees.....	2,850
	\$34,850
ELECTION DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$55,700
2. Temporary Employees.....	11,500
	\$67,200
FINANCE COMMISSION.	
A. Personal Service:	
1. Permanent Employees.....	\$14,000
FIRE DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$1,800,000
Electrical Inspection Division.	
A. Personal Service:	
1. Permanent Employees.....	\$33,000
HEALTH DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$310,000
HOSPITAL DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$1,275,000
2. Temporary Employees.....	26,000
3. Unassigned.....	1,100
	\$1,302,100
Sanatorium Division.	
A. Personal Service:	
1. Permanent Employees.....	\$234,800
2. Temporary Employees.....	1,300
3. Unassigned.....	850
	\$236,950
INSTITUTIONS DEPARTMENT.	
Central Office.	
A. Personal Service:	
1. Permanent Employees.....	\$17,600

Child Welfare Division.	
A. Personal Service:	
1. Permanent Employees.....	\$19,000
2. Temporary Employees.....	300
	\$19,300
Long Island Hospital.	
A. Personal Service:	
1. Permanent Employees.....	\$151,870
2. Temporary Employees.....	1,000
3. Unassigned.....	3,000
	\$155,870
Steamer "Stephen J. O'Meara."	
A. Personal Service:	
1. Permanent Employees.....	\$10,200
2. Temporary Employees.....	400
	\$10,600
Steamers "Michael J. Perkins," and "James M. Curley."	
A. Personal Service:	
1. Permanent Employees.....	\$18,500
2. Temporary Employees.....	300
	\$18,800
LAW DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$71,500
2. Temporary Employees.....	1,000
	\$72,500
LIBRARY DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$547,000
LICENSING BOARD.	
A. Personal Service:	
1. Permanent Employees.....	\$20,500
MAYOR, OFFICE EXPENSES.	
A. Personal Service:	
1. Permanent Employees.....	\$35,000
2. Temporary Employees.....	3,000
	\$38,000
MUNICIPAL EMPLOYMENT BUREAU.	
A. Personal Service:	
1. Permanent Employees.....	\$10,200
PARK DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$362,000
2. Temporary Employees.....	10,000
3. Unassigned.....	3,200
	\$375,200
Cemetery Division.	
A. Personal Service:	
1. Permanent Employees.....	\$47,000
2. Temporary Employees.....	4,000
3. Unassigned.....	1,300
	\$52,300
POLICE DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$2,300,000
2. Temporary Employees.....	23,000
	\$2,323,000
PUBLIC BUILDINGS DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$137,000
2. Temporary Employees.....	1,000
	\$138,000
Market Division.	
A. Personal Service:	
1. Permanent Employees.....	\$6,300
PUBLIC WELFARE DEPARTMENT.	
Central Office.	
A. Personal Service:	
1. Permanent Employees.....	\$310,000
2. Temporary Employees.....	15,000
	\$325,000

Temporary Home.	
A. Personal Service:	
1. Permanent Employees.....	\$2,000
2. Temporary Employees.....	500
	<u>\$2,500</u>
Wayfarers' Lodge.	
A. Personal Service:	
1. Permanent Employees.....	\$2,000
2. Temporary Employees.....	500
	<u>\$2,500</u>
PUBLIC WORKS DEPARTMENT.	
Central Office.	
A. Personal Service:	
1. Permanent Employees.....	\$13,100
Bridge Service.	
A. Personal Service:	
1. Permanent Employees.....	\$155,000
2. Temporary Employees.....	13,000
3. Unassigned.....	1,000
	<u>\$169,000</u>
Ferry Service.	
A. Personal Service:	
1. Permanent Employees.....	\$60,500
2. Temporary Employees.....	3,000
3. Unassigned.....	100
	<u>\$63,600</u>
Lighting Service.	
A. Personal Service:	
1. Permanent Employees.....	\$2,900
Paving Division.	
A. Personal Service:	
1. Permanent Employees.....	\$360,000
2. Temporary Employees.....	4,000
3. Unassigned.....	1,000
	<u>\$365,000</u>
Sanitary Division.	
A. Personal Service:	
1. Permanent Employees.....	\$629,000
2. Temporary Employees.....	11,000
3. Unassigned.....	10,000
	<u>\$650,000</u>
Sewer Division.	
A. Personal Service:	
1. Permanent Employees.....	\$200,000
2. Temporary Employees.....	1,200
3. Unassigned.....	1,000
	<u>\$202,200</u>
REGISTRY DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$23,000
2. Temporary Employees.....	7,000
	<u>\$30,000</u>
DEPARTMENT OF VETERANS' SERVICES.	
A. Personal Service:	
1. Permanent Employees.....	\$52,000
2. Temporary Employees.....	3,500
	<u>\$55,500</u>
STATISTICS.	
A. Personal Service:	
1. Permanent Employees.....	\$5,000
2. Temporary Employees.....	1,500
	<u>\$6,500</u>
STREET LAYING-OUT DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$60,000
SUPPLY DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$24,000
TREASURY DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$33,000
2. Temporary Employees.....	200
	<u>\$33,200</u>

WEIGHTS AND MEASURES DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$20,700
BOARD OF REAL ESTATE COMMISSIONERS.	
A. Personal Service:	
1. Permanent Employees.....	\$8,900
2. Temporary Employees.....	700
	<u>\$9,600</u>
COUNTY OF SUFFOLK.	
SUFFOLK COUNTY COURT HOUSE, CUSTODIAN.	
A. Personal Service:	
1. Permanent Employees.....	\$101,700
COUNTY BUILDINGS.	
A. Personal Service:	
1. Permanent Employees.....	\$30,100
JAIL.	
A. Personal Service:	
1. Permanent Employees.....	\$62,000
SUPREME JUDICIAL COURT.	
A. Personal Service:	
1. Permanent Employees.....	\$18,200
SUPERIOR COURT, CIVIL SESSION, GENERAL EXPENSES.	
A. Personal Service:	
1. Permanent Employees.....	\$91,400
SUPERIOR COURT, CIVIL SESSION, CLERK'S OFFICE.	
A. Personal Service:	
1. Permanent Employees.....	\$78,300
SUPERIOR COURT, CRIMINAL SESSION.	
A. Personal Service:	
1. Permanent Employees.....	\$119,000
PROBATE COURT.	
A. Personal Service:	
1. Permanent Employees.....	\$4,100
MUNICIPAL COURT, CITY OF BOSTON.	
A. Personal Service:	
1. Permanent Employees.....	\$182,800
MUNICIPAL COURT, CHARLESTOWN DISTRICT.	
A. Personal Service:	
1. Permanent Employees.....	\$11,500
2. Temporary Employees.....	1,100
	<u>\$12,600</u>
EAST BOSTON DISTRICT COURT.	
A. Personal Service:	
1. Permanent Employees.....	\$10,000
2. Temporary Employees.....	700
	<u>\$10,700</u>
MUNICIPAL COURT, SOUTH BOSTON.	
A. Personal Service:	
1. Permanent Employees.....	\$12,600
2. Temporary Employees.....	800
	<u>\$13,400</u>
MUNICIPAL COURT, DORCHESTER DISTRICT.	
A. Personal Service:	
1. Permanent Employees.....	\$14,300
2. Temporary Employees.....	1,700
	<u>\$16,000</u>
MUNICIPAL COURT, ROXBURY DISTRICT.	
A. Personal Service:	
1. Permanent Employees.....	\$38,700
2. Temporary Employees.....	3,000
	<u>\$41,700</u>
MUNICIPAL COURT, WEST ROXBURY DISTRICT.	
A. Personal Service:	
1. Permanent Employees.....	\$13,300
2. Temporary Employees.....	1,100
	<u>\$14,400</u>

MUNICIPAL COURT, BRIGHTON DISTRICT.	
A. Personal Service:	
1. Permanent Employees.....	\$8,500
2. Temporary Employees.....	800
	<hr/>
	\$9,300
BOSTON JUVENILE COURT.	
A. Personal Service:	
1. Permanent Employees.....	\$11,200
2. Temporary Employees.....	400
	<hr/>
	\$11,600
DISTRICT COURT OF CHELSEA.	
A. Personal Service:	
1. Permanent Employees.....	\$12,200
2. Temporary Employees.....	800
	<hr/>
	\$13,000
REGISTRY OF DEEDS.	
A. Personal Service:	
1. Permanent Employees.....	\$64,900
2. Temporary Employees.....	3,000
3. Unassigned.....	400
	<hr/>
	\$68,300
Index Commissioners.	
A. Personal Service:	
1. Permanent Employees.....	\$9,000
MEDICAL EXAMINER SERVICE.	
Northern Division.	
A. Personal Service:	
1. Permanent Employees.....	\$8,400
MEDICAL EXAMINER SERVICE.	
Southern Division.	
A. Personal Service:	
1. Permanent Employees.....	\$5,100
ASSOCIATE MEDICAL EXAMINER.	
Northern Division.	
A. Personal Service:	
1. Permanent Employees.....	\$333
2. Temporary Employees.....	100
	<hr/>
	\$433
ASSOCIATE MEDICAL EXAMINER.	
Southern Division.	
A. Personal Service:	
1. Permanent Employees.....	\$333
2. Temporary Employees.....	100
	<hr/>
	\$433
MISCELLANEOUS EXPENSES.	
Auditing Department.	
A. Personal Service:	
1. Permanent Employees.....	\$10,000
Budget Department.	
A. Personal Service:	
1. Permanent Employees.....	\$6,400
Collecting Department.	
A. Personal Service:	
1. Permanent Employees.....	\$333
Sheriff.	
A. Personal Service:	
1. Permanent Employees.....	\$1,400
Treasury Department.	
A. Personal Service:	
1. Permanent Employees.....	\$2,000
PENAL INSTITUTIONS DEPARTMENT.	
Office Expenses.	
A. Personal Service:	
1. Permanent Employees.....	\$15,700
House of Correction.	
A. Personal Service:	
1. Permanent Employees.....	\$90,900
REVENUE DEPARTMENTS.	
PRINTING DEPARTMENT.	
A. Personal Service:	
1. Permanent Employees.....	\$105,000
2. Temporary Employees.....	300
3. Unassigned.....	1,000
	<hr/>
	\$106,300

City Record — Publication of.	
A. Personal Service:	
1. Permanent Employees.....	\$1,600
PUBLIC WORKS DEPARTMENT.	
Water Division.	
A. Personal Service:	
1. Permanent Employees.....	\$323,500
2. Temporary Employees.....	6,000
3. Unassigned.....	3,000
	<hr/>
	\$332,500
Summer Traffic Tunnel.	
A. Personal Service:	
1. Permanent Employees.....	\$80,000
2. Temporary Employees.....	5,000
3. Unassigned.....	100
	<hr/>
	\$85,100
COLLECTING DEPARTMENT.	
Water Division.	
A. Personal Service:	
1. Permanent Employees.....	\$45,000
2. Temporary Employees.....	6,000
3. Unassigned.....	2,000
	<hr/>
	\$53,000
AUDITING DEPARTMENT.	
Water Division.	
A. Personal Service:	
1. Permanent Employees.....	\$300
RECAPITULATION.	
City Departments.....	\$10,082,570
County Departments.....	1,048,699
	<hr/>
	\$11,131,269
Revenue Departments.....	578,800
	<hr/>
	\$11,710,069

President KELLY—The question now comes on the passage of the order.

Coun. BAYLEY—What is the order?

President KELLY—It is a partial appropriation to take care of salaries, councilor. I understand some employees who are supposed to get their pay today will not get it until tomorrow. The clerk will call the roll on the passage of the order.

The roll was called, and the order was given its first reading and passage, yeas 19, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Linehan, Madden, McCormack, Moriarty, Russo, Scannell, Sullivan—19.

Nays—0.

SALE OF LAND AT COMMONWEALTH AND CHESTNUT HILL AVENUES.

The following was received:

City of Boston,
Office of the Mayor, January 6, 1947.
To the City Council.

Gentlemen,—On September 9, 1946, your Honorable Body gave approval to the sale of a parcel of land at Commonwealth and Chestnut Hill avenues, containing approximately 66,762 square feet, at an upset price of \$125,000. The Park Commission has previously declared that this land is no longer needed for park purposes.

I am now informed by the Chairman of the Board of Real Estate Commissioners, who conducted the auction, that no bids were received at the minimum price of \$125,000. He is of the opinion, however, that a sale of this land could be consummated if the price were reduced to \$110,000.

In view of the fact that the initial sale price of this piece of land is not nearly as important as the use to be made of the land with its consequent source of annual income to the city, I favor the sale of the land at the price now suggested, that is, \$110,000. I, therefore, recommend the passage of the accompanying order for the sale of the land at this price, at public auction.

Respectfully,
JAMES M. CURLEY, Mayor.

Whereas, The City of Boston owns in fee a certain parcel of land containing approximately sixty-six thousand seven hundred sixty-two

(66,762) square feet situate at the northwesterly corner of Commonwealth avenue and Chestnut Hill avenue in the Brighton district; and

Whereas, The said parcel of land is now in the custody, care and control of the Board of Park Commissioners of the City of Boston and the said Board of Park Commissioners have declared the said parcel of land is no longer required for any public purpose; now, therefore, it is hereby

Ordered, That the Board of Park Commissioners of the City of Boston, be, and they hereby are, authorized in the name and behalf of the City of Boston to sell at public auction at an upset price of one hundred ten thousand dollars (\$110,000) the aforesaid parcel of land, hereinafter described; and it is hereby further

Ordered, That his Honor the Mayor of the City of Boston be and he hereby is, authorized in the name and behalf of the City of Boston to execute and deliver to purchaser at said public auction a written instrument satisfactory in form to the Law Department of the City of Boston conveying all the City of Boston's right, title and interest in and to said parcel of land, bounded and described as follows:

Beginning at a point on the southwesterly line of Chestnut Hill avenue, thence running southeasterly by the southwesterly line of Chestnut Hill avenue, four hundred eighty-eight and 68-100 (488.68) feet; thence turning and running southeasterly and southwesterly by the southwesterly line of Chestnut Hill avenue, and the northerly line of Commonwealth avenue, thirty-three and 78-100 (33.78) feet in a radius of fifteen (Rad.-15.00) feet; then running southwesterly by the northeasterly line of Commonwealth avenue, by two measurements, eighty-four and 26-100 (84.26) feet in a radius of one hundred ninety (Rad.-190.00) feet and three hundred ninety-three and 61-100 (393.61) feet in a radius of two thousand four hundred (Rad.-2,400.00) feet; thence turning and running northeasterly to the point of beginning by lands now or formerly of Grace D. Allen and William S. Heath, by two measurements, forty-nine and 65-100 (49.65) and one hundred seventy-six and 96-100 (176.96) feet, respectively.

Containing sixty-six thousand seven hundred sixty-two (66,762) square feet of land, more or less.

Said parcel of land and all of said measurements are shown on a plan marked "City of Boston, Commonwealth avenue and Chestnut Hill avenue, Brighton, June 1, 1914, F. O. Whitney, Chief Engineer, Street Laying-Out Department." The original of said plan is on file in the office of said department, City Hall, Boston, Mass.

Referred to the Committee on Public Lands, when appointed.

INCREASED SUBSCRIPTION PRICE FOR CITY RECORD.

The following was received:

City of Boston,
Office of the Mayor, January 6, 1947.
To the City Council.

Gentlemen,—I am in receipt of a communication from the editor of the *City Record*, in which it is suggested that the subscription for the *City Record* be increased from \$2 per year to \$5 per year.

In view of the higher costs of editing this official organ of the city, as stated in the accompanying communication, I am of the belief that an annual charge of \$5 for a subscription to the *City Record*, is fair and reasonable. For the same reasons, I am of the opinion that the price for single copies should be increased from ten to fifteen cents.

I, therefore, submit herewith a proposed amendment to the ordinances to that effect, and respectfully request its approval by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Statistics Department, January 3, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—May I make the suggestion that an order be presented to the City Council by you authorizing the price of subscriptions for the *City Record* to be increased from the present rate of \$2 per year to \$5 per year. I believe this would be eminently fair to the public and to the city because of the fact that costs of production and printing have very materially increased all along the line.

The price of newsprint paper has practically doubled since the start of World War II. Wages of printers, from compositors to pressmen, mailers and other mechanical employees have very decidedly increased. These facts make it imperative that the cost of producing the *City Record* be met with an increase in the subscription price as well as has been done in the matter of the cost of advertising, to the advertisers. There is hardly a publication in the entire country that has not been compelled, because of the conditions enumerated, to take the same kind of action I am suggesting to your Honor.

Very sincerely yours,
JOSHUA H. JONES,
Editor, City Record.

An Ordinance Concerning the Statistics Department.

Be it ordained by the City Council of Boston as follows:

Chapter 32 of the Revised Ordinances of 1925 is hereby amended by striking out section 2 in said chapter and inserting in place thereof the following:

SECT. 2. The board shall publish the *City Record* once a week, and shall distribute and sell it under the direction of the mayor. The *City Record* shall contain all matters required by statute to be published therein and such other matters as the mayor may direct. The price of single copies shall be fifteen cents, and the yearly subscription price shall be five dollars, payable in advance. The price to be paid by departments for advertising therein shall be fixed by the city auditor with the approval of the mayor. The receipts shall be used to defray the expense of said publication.

Referred to the Committee on Ordinances, when appointed.

SALE OF STEAMER "MICHAEL J. PERKINS."

The following was received:

City of Boston,
Office of the Mayor, January 6, 1947.
To the City Council.

Gentlemen,—I am in receipt of a communication from the Commissioner of the Institutions Department in which he requests authority to sell the steamer "Michael J. Perkins" at an upset price of five thousand dollars.

The acquisition by the Institutions Department of more adequate means of transportation, together with the fact that the Steamer "Perkins" has outlived its usefulness, warrants the sale of the steamer at the price suggested, or at a better price if such is obtainable at the public auction.

I recommend the passage of the accompanying order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Institutions Department, December 27, 1946.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—The Steamship "Michael J. Perkins," the services of which have been discontinued by the Institutions Department, is no longer of use to this or any other department of the city.

Your authority is requested to sell the "Michael J. Perkins" at public auction after due advertising in the *City Record* and the Boston daily newspapers at an upset price of five thousand dollars (\$5,000).

Respectfully yours,
G. FRANK McDONALD, Commissioner.

Ordered, That the Institutions Commissioner be, and hereby is, authorized to sell, at public auction, the Steamer "Michael J. Perkins," no longer needed for public purposes, for an upset price of five thousand dollars.

Referred to Executive Committee, when appointed.

TRAFFIC LIGHTS, WARD 20.

The following was received:

City of Boston,
Office of the Mayor, December 17, 1946.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner, in reply to

your order of December 2, 1946, to include in the Traffic Commission budget for 1947, enough money to take care of traffic lights in Ward 20.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Traffic Commission, December 16, 1946.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—This is in reply to blue memo dated December 5, 1946, from J. Joseph Connors, Chief Clerk, requiring consideration and report on Council order dated December 2, 1946, requesting the Traffic Commissioner to include in his 1947 budget enough money to take care of traffic lights in Ward 20.

Since this commission was organized in 1929 it has been standard policy that funds for all new traffic signals are made available through special loan order appropriation initiated by the Mayor. At present there are no such funds available. The yearly budget merely provides the department with funds for the maintenance of existing traffic signals.

Respectfully,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

REPAIR OF BROCK STREET, WARD 22.

The following was received:

City of Boston,
Office of the Mayor, January 6, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, in reply to your order dated December 16, 1946, concerning the laying out and repairing of Brock street, from Washington to Oakland streets, Ward 22.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
December 20, 1946.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—I return herewith order of the City Council passed at its meeting on December 16 and reading as follows:

"Ordered, That his Honor the Mayor instruct the Public Works Commissioner and Street Commissioners to lay out and repair Brock street, from Washington to Oakland streets, Ward 22."

Brock street is a private way over which this department has no control, and I respectfully recommend that the order be referred to the Board of Street Commissioners, so that consideration might be given to the matter of accepting it and ordering construction.

Respectfully yours,
ROBERT P. CURLEY,
Commissioner of Public Works.
Placed on file.

PETITIONS REFERRED.

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

Claims.

Clifford Anderson, to be reimbursed for loss of clothing at City Hospital.

William H. Ellis, Jr., for compensation for damage to car by snowplow.

Laura Goodwin, for compensation for damage to car by fire truck.

Pilgrim Upholstery Company, for compensation for damage to property at 101 Business street, caused by overflow of sewage.

Sterling Engineering & Manufacturing Corporation, for compensation for collapse of water boiler at 117 Business street, caused by water being shut off.

Executive.

Petition of Jessie I. McCarthy to be paid annuity on account of death of her husband, John McCarthy, late member of Police Department.

NOTICE OF HEARING.

Notice was received from the Department of Public Utilities of hearing to be held January 15 at 10.30 a. m. on petition of John Almeida, Jr., doing business as Almeida's Bus Service, for certificate of public convenience and necessity to operate motor vehicles between Lakeville and Boston.

Placed on file.

PETITION OF COLUMBIA BILLIARD COMPANY ALLEYS.

President KELLY—The Chair recognizes Councilor Scannell.

Coun. SCANNELL—Mr. President, this is the petition of the Columbia Billiard Company for a Sunday license, and I would like it taken from the committee and have the full Body act on it.

President KELLY—The question is on taking the petition from the committee. All those in favor?

Coun. HANNON—A point of information. President KELLY—Councilor Hannon, what is your point of information?

Coun. HANNON—If this order was approved by the committee last week when the committee was functioning, why can't it be included in a report by the committee today?

President KELLY—Councilor, the committee can't report today because the committee does not exist today. This will serve the purpose, the motion to take from the committee. The motion is to take this matter from the committee. All those in favor say aye, those opposed no. It is a vote and so ordered.

The petition of the Columbia Billiard Company Alleys, Nichols J. Powlakis (referred December 26, 1946), to operate bowling alleys on the Lord's Day at 558 Columbia road was granted, under usual conditions.

REPORT OF COMMITTEE ON PRISONS.

Coun. RUSSO—The Committee on Prisons. Coun. HANNON—Mr. President, a point of order.

President KELLY—Councilor Hannon. Coun. HANNON—How can that report come in?

President KELLY—Yes, the same conditions exist. The report cannot come in until the committee is functioning. Thank you very much, councilor. I can't accept that until the committees are appointed. If it is a report of a committee, I can't accept it.

Coun. LINEHAN—It is a resumé. President KELLY—The clerk will hold it in his possession.

Coun. RUSSO—The same goes for this one? President KELLY—The same thing.

ADVERTISING OF ASH AND GARBAGE REMOVAL CONTRACTS.

Coun. CHASE offered the following: Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to advertise for public bids on all contracts for ash and garbage removal for the year 1947 and to award the contracts to the lowest qualified bidders.

Coun. CHASE—Mr. President. President KELLY—Councilor: Chase.

Coun. CHASE—Mr. President, I believe all of us here are well acquainted by this time with the fact that his Honor the Mayor apparently approves of awarding ash and refuse removal contracts without public bids, especially, Mr. President, after the public charges that were made last week by a member of our Council. Mr. President, I have made some inquiry as to whether or not it is possible to have other qualified contractors bid lower than the apparently favored few whom he selected without public bids, and I find, sir, that there are a number of responsible contractors who would be willing to bid and accept the work if they succeeded in getting the bid. Mr. President, I don't know just why his Honor the Mayor has come out after the blast from the gentleman from Brighton last week (Councilor Madden). He apparently was frightened into declaring publicly he would some time this year erect or cause to be

erected \$2,000,000 worth of incinerators. I don't know why, Mr. President, the Public Works Commissioner failed a long time ago to erect an incinerator which was planned for and which plans cost the city some \$30,000. Apparently these plans are being thrown away, but it would seem to me, Mr. President, if the gentleman from Brighton did not accomplish anything else, he did accomplish some good when he frightened the Mayor into declaring that he would endeavor to cause the erection of incinerators for the removal of ashes, garbage and so forth. However, Mr. President, I have grave doubts as to whether his Honor the Mayor is sincere in this. Time will tell, Mr. President, but it is quite possible the Mayor did this in order to put a calm on the very stormy waters of last week. Now, Mr. President, if his Honor the Mayor is sincere in his alleged endeavors to give the city economic removal of refuse and garbage, it would seem to me that he would endeavor to open up these contracts for refuse and ash removal to the public and let all contractors come in and bid. It would seem further, sir, that his Honor the Mayor would then award the contracts to contractors who would put in the lowest bids. It would seem to me, Mr. President, that the members of our Council whom, I believe, are all interested in giving economic and efficient government to the city, would most certainly go along with this order because it is a reasonable order requesting his Honor the Mayor to hold this matter open to the public and to award the refuse contracts to the lowest bidders. Mr. President, his Honor the Mayor apparently proposes to ignore this Body because it was through his efforts, sir, that your Council was unable to hold a successful hearing last week. Your Council, sir, was unable to determine whether or not there were sufficient grounds for an investigation by your local authorities as proposed by the gentleman from Brighton, simply, sir, because the Mayor thwarted the proposed hearing. I would like at this time, sir, to call to the members' attention that they have all the power in the world, sir, to stop this dictatorial gentleman downstairs. We have the power, sir, to hold up these ash removal contracts if his Honor the Mayor does not go along with the proposal such as I have suggested. We have that power, sir, when your Committee on Appropriations conducts its hearings on the new budget. We can strike out or hold up the passing of that particular budget such as ash removal contracts, and I, for one, sir, propose to put all my efforts in that direction in the event that his Honor the Mayor does not follow out my suggestion in the order. Mr. President, this is a reasonable order. It is something which is beneficial to the public at large and I hope, sir, that the Council will go along with it. May I ask for suspension of the rules?

President KELLY—Councilor Madden,—talking on the order?

Coun. MADDEN—Yes.

President KELLY—Councilor Madden.

Coun. MADDEN—It begins to look as if the Mayor stole my thunder; at least, we can say we are making progress. My charges last week, as you know, are based, most of them, on the fact that the Mayor or some parties hadn't the guts to put incinerators in. I also brought out the fact that the Finance Commission has repeatedly shown that the erection of incinerators would save the city considerable money. As you know, I threatened the Mayor with a ten-taxpayers' suit unless he did that. Now, I read in the press that he intends to do that at an early date and, as a consequence, there can be no action for a taxpayers' suit. You can't very well go into equity and ask equity to force a man to do something that apparently he is willing to do. So I am very happy to say that the Mayor, in spite of all the charges he has levied at me that the charges are untrue and that they are figments of my imagination, within a week, even within two or three days, he calls the press in, and by inference says, "I guess Madden is right. We'd better start those incinerators." It is a step in the right direction, gentlemen. It was the basis of my charges to the Mayor that if something was not done, I would have no alternative but to go to court. Now, I can't very well go to court and ask for something that the Mayor has promised to give. An incinerator near the hospital alone would save the city in excess of \$400,000 a year and that, of course, represents the sum the city

is paying Coleman Brothers for the privilege of using the dumps. I have not been able to understand why the city should pay Coleman the fabulous sum of \$400,000 of taxpayers' money when by the creation of an incinerator they could save that money. I am very happy to say that the Mayor by inference at least agrees that I was 50 per cent right last Monday. While some people have contended that I failed to prove the charge of graft, all I can say to you gentlemen, as an attorney, is that the proof of graft is a very difficult thing. However, it is not difficult to prove that we should have \$400,000 more in the city treasury. Webster, the specialist in dictionaries, says that any action such as that certainly is graft. So, if there are people who take issue with the use of the word "graft," I think if they will look up Webster, they will find I was borne out. I am happy to say the Mayor at least has taken the first step, the big step, in the right direction. I have prepared a question under the authority of section 7 of the City Charter wherein I say to the Mayor—

President KELLY—Councilor, you are talking now on Councilor Chase's order. Is this a satisfactory order?

Coun. MADDEN—No, it is not a satisfactory order, sir. Incidentally, these questions, I understand, must be in writing.

Along that same line, I would like to answer Councilor Linehan's point of inquiry.

President KELLY—Councilor Linehan.

Coun. LINEHAN—Will you please inform the gentleman from Brighton if it is in proper form?

President KELLY—I understand he is not presenting it in the form of an order. He said he was not. He was talking on Councilor Chase's order.

Coun. LINEHAN—I understood him to say he was presenting it.

President KELLY—That is right, but he is talking on Councilor Chase's order.

Coun. MADDEN—On or about the 12th of December the Public Works Commissioner sent a letter to the Mayor in which he said, among other things, "The second matter to which I have referred is the transportation of rubbish through the streets. It is provided in section 14 of chapter 39 of the Revised Ordinances of 1925 that no person other than employees of the city engaged in public works shall in any street carry house offal or other refuse matter or interfere with the receptacles containing the same except in accordance with a permit from the Commissioner of Public Works approved by the Health Commissioner." Then he goes on to say, "It is evident from the large number of new requests for such permits which have been and are still being received by this department, in addition to the applications for renewals of outstanding permits, that competition along this line has increased considerably." Then the Mayor received another letter from the Public Works Commissioner in which he contradicts himself and says, "Mr. Mayor, I have doubts any lower price would be received by inviting public bids and for that reason nothing in my opinion would be gained if we should advertise for proposals." In other words, gentlemen, in one letter he says, "Mr. Mayor, I have been getting a great many requests for permits from men who want to remove this refuse," and I submit, gentlemen, probably a great many of them came from veterans, and then he says, "Mr. Mayor, forget that other letter. Charge them \$25," as he has been asking, and then he turns around and denies them the right to bid. I can well remember the Mayor's inauguration in Symphony Hall last January. You all remember that dramatic climax when the Mayor paraded a bunch of disabled veterans across the platform. I did not quite get the idea at the time, nor do I censor it, but now I have reason to believe that provided some of those boys in any event with a great thrill. As many of you know, I was still in the hospital myself at that time and that evening I rode back to the hospital with a kid, a sergeant, hobbling along on a crutch. I sat right beside him that evening when we went back to the hospital. I watched that little fellow sit down, and as he watched that panorama of the train going by and the lights flickering, the moon and the stars, he turned to me and he said, "You know, Major, Mr. Curley is a great guy." He did not turn, he kept looking at the stars. He said, "You know, he reminds me of my dad," and a flicker of a smile stole across his face, and he said, "Except my dad was never as famous as Mr. Curley." I saw that boy frequently after that up at the hospital, and when I left last April I called on him,

He was perhaps the happiest kid in the hospital. He said, "Major, I want to show you something. Look, I can walk now, I can take six steps." I think he was able to take six steps because of the thrill of seeing Mayor Curley at that inauguration, it was medicine. He said, "Do you know what I am going to do, Major?" He said, "I got it all figured out. My brother Jim and myself are going over to the Surplus Commodities to the Whittemore Depot. We are going to buy a truck. You know, there is money in trucking." He said, "I think that is what I am going to do." I said, "Sergeant, what assurance have you you are going to have any business? Where are you going to get business?" He said, "Oh, Major, Mr. Curley and me is just like that." Gentlemen, that boy meant that. The Mayor inculcated that spirit in his heart on Inauguration Day, and by inference he sold himself to all those kids as the champion of the veterans. I am sorry to say this past year he apparently has forgotten. So I say, Mr. Mayor, for God's sake, you can't let those kids down. They think you are a champion. Isn't it about time, Mr. Mayor, you started something on that housing proposition with the \$10,000,000, and isn't it fair, Mr. Mayor, that you protect these existing refuse and other contracts and give these disabled veterans a chance to bid on that work?

President KELLY—Councilor Sullivan, talking on the order.

Coun. SULLIVAN—Yesterday there appeared in one of the daily papers certain remarks attributed to the councilor from Ward 22 (Councilor Madden) pertaining to last Friday's meeting in which he was quoted as saying he was ashamed of the members of the Council and that there was not a quorum present at that meeting. I have the minutes here of the meeting at which Councilors Cantwell, Bryan and myself constituted a quorum. A quorum was present and the meeting was started, and I would like to have Councilor Madden straighten out those remarks that were attributed to him, and if they were true or false as reported in the newspaper.

President KELLY—Councilor Madden.

Coun. MADDEN—I would be very happy to answer that. I am sure I never said anything to the press that would in any way suggest we did not have a quorum. The press were there, and the press certainly saw that we did have a quorum. It is true the meeting started a little late, but eventually there were sufficient members of the committee to constitute a quorum, and a quorum was in attendance. As to the other remark attributed to me by the press, all I can say, gentlemen, is that I don't quite know where the press gets all of its information or how they get it. I have been asked a great many questions and what I did say was this: I said I was a little disappointed in my brother members of the Council that they could let me fight this battle all alone. After all, I did not come in here and say this knavery affected people in Brighton only. I have tried to set forth the fact that all this unawarded contract business was affecting the pockets of every single taxpayer. Perhaps the order was a little too caustic, perhaps I was a little too optimistic, and perhaps I had no reason to think that the Council would string along with me or see the matter as I saw it, and if the press has paraphrased what I have said in some other way, I am sorry, gentlemen, but I have no control over the press.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Mr. President, I don't feel much in the mood today to contend with anybody on anything, but as a member of the Council, on Councilor Madden's accusation of a week ago, there are some things on which I want to be satisfied before I extend the cooperation which it has been said we all withheld. I suppose it sounds rather pat and a little apt to say something nice under any circumstances when that party is present. It sounds a little prefabricated, it sounds as though the person uttering a laudatory statement or remark is trying to curry favor with the recipient of the remark because he is present. I am stating them for what I want to say, and I want to be as brief as the proper treatment of the subject will allow me. I have stated about Councilor Madden several times that I think he is the acme of responsibility. I respect him as a person, and I must say these things in his presence. I don't know whether I can respect him as an attorney, mindful of the fact that I am not an attorney myself, but it has always been said to me that an attorney in preparing a case for trial must be able to prove beyond a reasonable doubt,

if he is the prosecuting attorney, that the defendant is guilty, and if he is the defending attorney, I suppose under the ethics of the law profession he must advance some reasonable proof that his client is a wronged man. I have a valid criticism to offer of Councilor Madden in making his accusatory statement of a week ago because that touched upon me, as it touched upon everyone else in this Body. He told us, and it was in his prepared statement, that to make known the name of his informer who gave him these figures would be a breach of faith with that person and might result in certain penalties being instituted against that person. He saw fit to preserve that person's identity while making statements here in public about others whom he named, and he asked us to certify and approve his statements by calling for an investigation of charges which had their foundation in something that a clerk told him, but the identity of the clerk was to remain a secret. We had no place on which to hang our hats. Now, I am not going to say after five years in this Body that there is one-fiftieth part of the corruption and graft of which we are too frequently accused, if not as councilors, at least, as those who condone what we are supposed to know is graft and corruption in others. How can we support as a publicly-elected body the accusatory statements of a member of the Body when no proof has been advanced that the statements are correct beyond a shadow of doubt and can be proved in a court of law? I stress the importance of proof in a court of law because of the councilor's warning, and he injected in this thing the authority of court action. I stress the importance of his statements because that statement which referred to an action he intended subsequently to take could find fruition only before some court of the Commonwealth. I could recant every word I have said here in the past five minutes and go off on a tangent and accuse by name any one in the official employ of the city as a bribe-taker or as a grafter or as one of low and corrupt principles and practices. What am I to do? Am I to take refuge in the immunity granted to all of us upon election to this Body. Am I to be allowed in the next three or four days to change and alter my statement in such fashion as to take out of it the sting that was in it upon first utterance? Am I to slide along on the safest possible road, that of making a charge which no one yet has forced me to prove? I ask you gentlemen here —

Coun. BAYLEY—A point of order.

President KELLY—For what purpose does the gentleman rise?

Coun. BAYLEY—Is the gentleman speaking on the order before us?

President KELLY—I think he is speaking on the general subject matter. Councilor Kinsella is in order. Continue.

Coun. KINSELLA—I am attempting to answer Councilor Madden on Councilor Chase's order.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Mr. President, I value the integrity and the personal honor that has been impugned, and I play ball with no man, no Public Works Commissioner, no contractor who may have been or who today may be derelict in his service to those who play ball, but neither do I lend myself as a tool to the completion of any order that seeks to investigate a shadow when no substance can be produced. If I were an attorney, I think I would be very cautious of taking shelter in the immunity that automatically accrues to me upon joining this Body, when the temptation to attack becomes great. Councilor Madden came into this Body with one of the best reputations of any man elected to this Body, and to say I was not only surprised but stunned at the technique he employed a week ago to force a point is to express it altogether inadequately. Every word I say is going into the record, and so I am measuring and straining them in order to purify them for future use by anyone. I want Councilor Madden and those on this Body and those in this city who are minded as Councilor Madden is minded, and honestly, I believe, to understand that I will support any claim for an investigation by any accredited records of a body that is not going to investigate for politics alone. It is to be proved to me that graft exists and that there is a record of the proof of it and that the investigating body is interested more in the people than in harming the Mayor. These investigations are often conducted by subterfuge and by the application of too many white lies and half truths which are worse than downright deliberate lies them-

selves. I am only quoting the councilor's prepared statement of a week ago in which he seeks to defend his informer, but he says in effect, if not then, at a later date he says it, he is surprised that the Council did not go along with him. On what? I want evidence that I can see as clearly as I can see the accuser. Is that too much to ask of an attorney, that I be presented evidence that is as plain to me as is the person of the accuser? I don't know, Mr. President, what Councilor Chase's order is, because I was not in the Chamber when it was read. I am going to ask the Chair if the Chair will instruct the clerk to read for me and for those who were not here when Councilor Chase's order was read, to read the order again.

President KELLY—The clerk will kindly read the order.

(The clerk read Councilor Chase's order.)

Coun. KINSELLA—That is a much more reasonable order than one which asks to investigate something when no proof has been advanced. If my memory is correct, a member of the Finance Commission was present in the Mayor's office when Mr. Robert P. Curley recommended an 18 per cent increase in the contracts for 1947 for ash and garbage collection and disposal, and Mayor Curley, if the newspapers have not misinformed me, was present, and he certified it as his opinion it was a just increase. That rules out the possibility of conducting any investigation since they had advance knowledge that the increase was going to be put in effect. A 10 per cent increase was granted a year ago by Acting Mayor Kerrigan. It elicited no criticism in this Body from those who had his interest at heart. I don't know when these attacks are going to stop. Perhaps the only way to stop them is to vote down everything that is presented in this Body which seeks an investigation, until the facts are placed before us and controvertible proof accompanies them. I want to repeat publicly my personal fondness for Ted Madden and everybody in this Chamber. We don't make many mistakes in five years or two years or one year, and I have a personal fondness for every man here, but not every man bothers to weigh too much the consequence of his acts. I would like to ask the councilor pointedly, why do you shield your informant and thereby deprive us of the substance we need to support your plea? You have given us shadows to fight and no substance, and from what I know of the conduct of affairs of the régime of Mayor Tobin for three years and John Kerrigan for one year, and James M. Curley so far for one year, there is little that would not have to be manufactured. You can find fault with any city department that you want to, but the Public Works being the biggest is naturally the biggest target. It is not very nice to sit here as a member of this Body, sent here by the Jeliberate vote of thousands of people, each one of us, and hear a fellow like Bob Curley called a "puppet." Call him inefficient, call him anything you will, but he is a human. He is not an animal, and before he was ever Public Works Commissioner he was human, and before any of us were ever councilors he was human. We would not stand up and be called puppets by anyone. It rather shows the heat of the frame of mind in which Councilor Madden undoubtedly found himself a week ago today when, by the watch, for fifty-five minutes he regaled us with accusatory statements that constituted a blanket indictment of everybody in Boston, and the implication was, if you are honest you will agree, and if you are not, may the blanket safeguard you. I want to repeat, I don't think as an attorney that Mr. Madden would take that case before any court of law here or in any other state of the Union. Now, I ask him, what have you that you are prepared to prove and let us crystallize everything into action since that seemed to be the purpose of the order in its original form.

President KELLY—Councilor Linehan, talking on the order.

Coun. LINEHAN—Thank you, Mr. President. Talking on the order.

President KELLY—Councilor Linehan.

Coun. LINEHAN—Mr. President, I agree with some of the remarks of the distinguished gentleman from Charlestown (Councilor Kinsella), but it seems to me we are kind of laying it too much on the councilor from Brighton (Councilor Madden). I happened to be one of the councilors present at this hearing, and I still say I agree with the councilor from Charlestown, there was no evidence of graft presented to the Council

or to the committee that heard Councilor Madden. But, unfortunately, city officials, to my mind, should cooperate in such a matter as that brought up for hearing. The city officials were called down before this committee and, unfortunately for the councilor from Brighton, they did not show up. The only other witnesses the councilor from Brighton said he had were several witnesses, but he was afraid they might lose their jobs and he would not put them on the spot until he went to the Attorney General. I think it was on my recommendation when I read some sections of the City Charter that he agreed to lay the matter on the table at the request of the chairman of the Committee on Public Works, and it was laid on the table, I understand, for another week or so. The councilor from Brighton did agree to this procedure of laying it on the table in the hope that in the meantime he would have time to provide written questions to the City Council which, in turn, would be presented to the Mayor, and he was only doing what some of us in the Council asked him to do. Section 7 said—and it is about time we found out just what the hell section 7 means, and excuse my French—section 7 says that "the city council at any time may request from the mayor specific information on any municipal matter within its jurisdiction." It says "within its jurisdiction," and I am going to file an order asking the Corporation Counsel to tell us what city matters come within our jurisdiction. All I hear is what does not come within our jurisdiction, and it is about time some Council in some year found out what did come within our jurisdiction under section 7 of the City Charter. It goes on further to say that we may request his presence to answer written questions which I understand Councilor Madden is going to submit, and it goes on further, "relating thereto at a meeting to be held not earlier than one week from the date of the receipt of such questions." I ask the gentlemen of the City Council just what does that mean? According to the newspapers and quoting the newspapers again, Mayor Curley might be wrong. I don't think he would answer the questions. The City Charter, I think—and I think this matter of graft comes within the jurisdiction of the City Council—says, and get this, gentlemen, regardless of whether Mayor Curley or whether Public Commissioner Curley are charged with graft—that has not been proved, but I think the councilor from Brighton has a right to compel these gentlemen to come down and follow the City Charter and then vote on the matter. As a matter of fact, we cannot remove him, anyhow. It is within the sole jurisdiction of the Mayor, and I agree on that with his Honor the Mayor. All we can do is recommend that he be discharged because of laxity in duty or whatever we find him guilty of, if we can find him guilty. Here is an important line. After quoting this meeting to be held not earlier than one week from the receipt of said questions, which questions the councilor from Brighton plans to ask, "In which case the Mayor shall personally or through a head of a department or a member of a board, attend such meeting and publicly answer all such questions." And I think that is what the gentleman from Brighton is going to do. I am assuming that because he said he had a list of questions he is going to submit. I think in fairness to the gentleman from Brighton who so far has not produced any evidence, and I think the chairman of the Committee on Public Works agreed, and I think the gentleman from Brighton agrees that so far he has not produced any evidence, and I take issue when he said there was nobody fighting with him because I think Councilor Linehan and a great many councilors, if he produces evidence, will fight with him. I take issue with Ted if he quotes that again. I have already told the councilor from Brighton if he proves under sections 6, 7 and 8 that the gentleman in question is in the wrong, then I don't doubt every councilor here will vote in favor for the removal or the recommendation for the removal. Now, I don't know whether this matter—and I would like to ask the clerk, through you, Mr. President,—could he amended in reference to having legal opinion from the Corporation Counsel as to just what comes within the jurisdiction of the City Council under section 7, and also whether or not the existing contracts which now extend for more than one year pertaining to the collection and removal or disposal of refuse come within section 6 of the City Charter. And, mind you, I hope some of you look at section 6. I would like to know if that is the substance of a new order.

President KELLY—The Chair would prefer it as the substance of a new order, but will accept it as a new amendment. I want it in writing.

Coun. LINEHAN—I have it in writing.

President KELLY—Councillor Chase, — for what purpose does the gentleman rise?

Coun. LINEHAN—I don't yield to the gentleman.

President KELLY—For what purpose does the gentleman rise?

Coun. LINEHAN—I yield for a question.

President KELLY—Just one minute.

Coun. CHASE—One question.

President KELLY—Councillor Chase.

Coun. CHASE—Isn't it true that the City Council has full power of appropriation over ashes and refuse and removal contracts?

Coun. LINEHAN—I believe we have jurisdiction over the expenditure of all money within the city. It comes under the appropriation power.

Coun. CHASE—Isn't it true under that jurisdiction we have the implied authority of questioning the Mayor, the Public Works Commissioner, or any one to do with these contracts in order to determine whether or not the budget should be refused?

Coun. LINEHAN—Mr. President, I can merely say if I was requested for an opinion, if I were Corporation Counsel, I would rule they would come within the jurisdiction of the City Council. That is my opinion. I now move the amendment in the hands of the clerk. Have you got it?

President KELLY—That is right. The clerk will read the amendment.

The clerk read the amendment offered by Councillor Linehan, as follows:

Ordered, That the Corporation Counsel furnish the City Council with a legal opinion as to whether or not the existing contracts which now extend more than one year pertaining to the collection, removal or disposal of refuse come within section 6 of the City Charter; that the Corporation Counsel furnish the City Council with a legal opinion as to what municipal matters come within the jurisdiction of the Boston City Council in so far as section 7 of the City Charter of Boston provides. These opinions shall be submitted to the City Council within fourteen days from date.

President KELLY—Councillor Linehan.

Coun. LINEHAN—Mr. President, section 6 of the City Charter says, — and listen to this, gentlemen, —

"No contract for lighting the public streets, parks, or alleys, or for the collection, removal or disposal of refuse, extending over a period of more than one year from the date thereof, shall be valid without the approval of the mayor and the city council after a public hearing, held by the city council, of which at least seven days' notice shall have been given in the *City Record*."

Now, I am assuming when this contract was originally entered into some time back, it was more than one year ago, and I have asked the City Clerk if that is not so, but he is not sure, he thinks it is; I am assuming the year has gone by and we have had on two occasions extensions. I don't know how long the extensions have been, but they were granted, so the full period has been over one year. It is my contention as a lawyer, subject to rebuttal by the lawyers in the Law Department with whom I have taken issue before, that that contract now runs and extends for more than a period of one year and that, if that is so, the new existing contracts for the collection of garbage, ashes and what have you are illegal because section 6 has not been complied with. Have I been missing when we had the extensions of the contracts? Have we had such a meeting in the City Council as provided in section 6? I am assuming we did not have any. My order also requests an opinion as to just what comes within the jurisdiction of the City Council, and it is about time some lawyers sitting here advised the members of the City Council what they think comes within the jurisdiction of the City Council. I don't mind getting up here and fighting a losing fight for what I think is for the benefit of the taxpayers, but you get tired when you see other qualified gentlemen sitting around here who do not get up and at least help us by telling us just what comes or does not come within the City Council's jurisdiction. May I say, in closing, to the gentleman from Brighton, so far I don't think we should judge your actions because you have not yet given up your fight. If you ever give up your fight in this matter, I, for one, would vote against you because you have not submitted the

evidence, but I am assuming you will produce the evidence either through your own witnesses or through the department head or employees within the jurisdiction of the Public Works Commissioner. I realize certain statistics you can only get properly from employees of the Public Works Department, and I don't imagine you can produce them because they won't give you the records. If you present these questions to the Mayor, he is almost compelled to. If he does not, I think you can file a writ of mandamus to comply with section 7, that is, giving him the necessary seven-day notice. If he does not come across, your writ of mandamus might issue against him. That is my opinion and, of course, the Corporation Counsel might not agree. In conclusion, I might say, councillor, in order for you to prove so-called graft, you have to go to section 8, down in the middle, which reads as follows:

"It shall be unlawful for the mayor or for any member of the city council or for any officer or employee of the city or of the county of Suffolk or for a member of the finance commission,—mind you, it brings in the Finance Commission,—directly or indirectly to make a contract with the city or with the county of Suffolk, or to receive any commission, discount, bonus, gift, contribution or reward from or any share in the profits of any person or corporation making or performing such contract, unless such mayor, member of the city council, officer or employee or member of the finance commission immediately upon learning of the existence of such contract or that such contract is proposed, shall notify in writing the mayor, city council, and finance commission of such contract and of the nature of his interest in such contract and shall abstain from doing any official act on behalf of the city in reference thereto."

I say, councillor from Ward 22, that is where your case lies as to whether or not Commissioner Curley should be removed or at least if it be suggested he be removed by the Mayor.

President KELLY—The question first comes on the amendment. Councillor Russo,—not having spoken.

Coun. RUSSO—There has been much discussion here today, and I state I agree with some, and with some I don't agree, and in so far as the first instance with Councillor Madden, that the Council did not cooperate, I would like to state that I, for one, as a councillor, have cooperated to the extent of seeing that the proper committee was given his order and, therefore, up to the present time I have cooperated, and if there is anything which is not within the rights of the Public Works Commissioner or his Honor the Mayor, we naturally ought to do something about it. There has been much talk today, and it seems a person to belong to the City Council and to be elected to the City Council must be a person of high learning and a person who has gone through law school. I, for one, am not an attorney, and I don't intend to imply by my remarks that I desire to take away knowledge from the attorneys or the schooling they might have received. I have stated time and time again on the Council floor that I thank God only that He gave me common sense, and I hope and pray that He shall continue to guide me, to make my decisions on common sense. Section 6 of our charter has been read which specifically states, and I quote, "No contract for lighting the public streets, parks or alleys, or for the collection, removal, or disposal of refuse, extending over"—mind you, extending over, and I emphasize that—"a period of more than one year from the date thereof, shall be valid without the approval of the mayor and the city council after a public hearing, held by the city council, of which at least seven days' notice shall have been given in the *City Record*."

I say in regard to this, as an ordinary layman, that the Public Works Commissioner and his Honor the Mayor — and I have not up to this date defended his Honor the Mayor, and I don't intend to defend him when he is wrong in my opinion; neither do I intend to accuse him when I don't believe he should be accused — I contend section 6 of our City Charter specifically states as to any contract given over a period of one year. Therefore, it is my contention, and I hope the City Clerk will inform me if I am right or wrong, they have the power by the City Charter to give a contract up to one year and not over one year without the approval of the City Council and without public bidding. I mean, the fault lies on the Legislature not to change the City Charter.

I have contended from the first day that I have had the honor and privilege of serving in this Body that certainly the City Charter ought to be changed to give the Council its proper rights and jurisdiction, and the only way we can receive that — and look back in the record year after year — is to petition the Legislature to give the City Council its proper power, and that is, the veto power over the Mayor. That is the only way that the Council will have its proper place and its proper authority. As I stated before, I am not an attorney. Of course, whether I am glad I am not or sorry I am not does not enter into the discussion.

This is for the benefit of the younger members who have been in the Council only for a year. I recall that we went to Providence to inspect incinerators there and it was the opinion of the City Council at that time that that would be a good thing for the City of Boston to dispose of our refuse and garbage. Of course, I, as an ordinary layman, cannot judge whether that will be a saving, but I have to depend upon individuals' information who are qualified to give the Council the information required. Therefore, judging by the information given us at that time, it was thought the incinerators would be a saving and a quicker way of disposal of our garbage and refuse, and at the same time eliminate the individual contractor that has the city by the throat. We cannot dump in specific places because they own that land themselves and they are deriving year after year countless thousands of dollars that have to be met by other individuals of the City of Boston who own a piece of property. So I say, regardless of what we do here, we as a Body are only a body of men making suggestions. We have no power whatsoever. The only power we have is to deduct from the budget, reduce the budget, and then to what extent? You have to the extent that you have to cut, not on any specific item you don't like to see go into the budget, but rather on the overall budget. What will happen then? That perhaps your city workers might be on your neck and say it was your fault that they have not been paid, and there are many other things that enter into it. For God's sake, let us stop kidding ourselves. Surely, this order is perfectly all right to go through the City Council. It will go down to his Honor the Mayor, and his Honor the Mayor, after he reads it, there is only one thing he will do, throw it in the wastebasket, and what other recourse have you? None whatsoever. I challenged his Honor the Mayor previous to this here when I stated, why doesn't he make a public statement to abolish the Boston City Council as it is only his Honor the Mayor who runs the City of Boston, and if the Council has no power or authority? But I say to you that the fault lies with the Legislature. They have to see to it that our City Charter is changed, and I don't mean changed to the Plan E system. I don't believe in it. I believe the Plan E system will not give to the City of Boston or to the citizens of Boston proper representation of the people. The people will lose by it and by their personal contacts with the city fathers. We can do just as well as a Council of twenty-two directing the duties and responsibilities placed upon us if we have the legal power in the same manner and better, perhaps, than a Council of nine. So I say, Councilor Madden, I respect you not only as a person but as a councilor. Also, I feel that he has the highest ability and in so far as I am concerned and in so far as the Council is concerned, we have done everything up to the present time to go along with him to prove his facts.

President KELLY—Councilor Cook, not having spoken. Do you ask for the floor, councilor?

Coun. COOK—Mr. President, I would like to point out, as much as I would like to agree with Councilor Linehan, I am afraid I can't in view of the provisions in the first paragraph of section 8 which is the paragraph that takes away all the power they seem to give us in sections 6 and 7 of the City Charter. If you read it,—"Neither the city council, nor any member or committee, officer or employee thereof shall, except as otherwise provided in this act, directly or indirectly on behalf of the city or the county of Suffolk take part in"—we will skip some of the things—making of contracts, "appointment or removal of any municipal or county employee; nor in the expenditure of public money except such as may be necessary for the contingent and incidental expenses of the city council." They say the error is not in the Council but in the power

it should have to see to it that city affairs are checked and double checked as the Council would like to do.

President KELLY—The question is on the amendment. Councilor Madden.

Coun. MADDEN—I would like to have a few minutes to answer my distinguished friend, Councilor Kinsella. The councilor will read a great deal because I have and intend to shield the source of my information. If Leo was an attorney, he would know there are times when there are certain confidential communications between client and counsel that have no occasion to be aired except in a court of law, but if need be, I can produce him. I suggest, gentlemen, in further answering Leo's questions, what I said could not have been half truths. It was at least three-quarters truth or two-thirds truth, because I said the cost to the city was excessive by some 700,000 odd dollars. By the Mayor's own action this past week in announcing he is going to put in incinerators right away and effect a saving of a half million dollars, the Mayor by implication said, "Madden is at least two-thirds correct."

President KELLY—Councilor Kinsella,—for what purpose does the gentleman rise?

Coun. KINSELLA—I would like the councilor from Ward 22 to yield for a question.

Coun. MADDEN—Yes.

Coun. CHASE—A point of order.

President KELLY—Will you state your point of order?

Coun. CHASE—They are not talking relative to the amendment. The amendment is pertaining to the request from Councilor Linehan asking the Corporation Counsel whether or not the City Council has certain powers.

President KELLY—I think the gentleman is leading up to it, or rather, leading up to that part of it. Councilor Kinsella, I have ruled Councilor Madden in order. Councilor Kinsella, your question?

Coun. MADDEN—We are talking on Councilor Chase's order.

President KELLY—Councilor Kinsella, your question?

Coun. KINSELLA—I would like to ask Councilor Madden a question.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase,—a point of order?

Coun. CHASE—Both gentlemen are out of order, sir, and I would suggest you ask the City Clerk whether the point is well taken.

President KELLY—I have ruled Councilor Madden is talking on the amendment. He is leading to what is in his mind and he has yielded to a question. Councilor Madden is the one to yield. Councilor Kinsella.

Coun. KINSELLA—Mr. President, I would like to ask Councilor Madden if he would as an attorney go into court with two-thirds of his case prepared or with implications?

President KELLY—Councilor Madden.

Coun. MADDEN—When I go to court, the Council can rest assured my powder is dry. I am just suggesting by implication the Mayor himself admitted Madden was pretty accurate. I will go on to answer some more of the questions by Leo. He takes exception to the technique used by this new councilor from Ward 22. Well, probably my technique does lack the smooth, suave finesse of the technique that you fellows have, but that is the way we punned them, that is the way we knocked them out of the foxholes all over Europe. I expect that punch is too fast. Probably later on we will use a different technique.

President KELLY—Councilor Cook,—for what purpose does the gentleman rise?

Coun. COOK—I think Councilor Madden is saying something the Council should hear, and I doubt the presence of a quorum.

President KELLY—The councilor doubts the presence of a quorum. The clerk will call the roll.

Coun. BAYLEY—What is the point?

President KELLY—A quorum is in doubt.

The roll was called, and the following members responded as present:

Councilors Bayley, Cantwell, Carey, Chase, Cook, Fish, Keenan, Kelly, Kinsella, Linehan, Madden, McCormack, Russo, Sullivan—14.

President KELLY—A quorum is in attendance. Continue, Councilor Madden.

Coun. MADDEN—I would say, apparently the distinguished councilor from Charlestown takes issue with my statement this was a positive

monopoly. Gentlemen, if this handing out of contracts promiscuously year after year to the same contractors is not a monopoly, I would like to know what it is. It is certainly discriminating against the thousands and thousands —

President KELLY—Councilor Kinsella,—for what purpose does the gentleman rise?

Coun. KINSELLA—I would like to observe I made no reference to a monopoly so Councilor Madden's references —

President KELLY—Councilor Madden.

Coun. MADDEN—I believe the councilor mentioned something about half-truths, and I am trying to suggest that some of the things I said were not half-truths but 99½ per cent truth. Certainly, there can be no question but that there are thousands and thousands of veterans who have just gotten out of the service, thousands and thousands of men who were not in the service, just as equally competent for handling this refuse work as the men who now have the contracts, and my chief quarrel with the Public Works Commissioner is the handing out of these contracts without giving the veterans and other people an opportunity to bid on them. As I said the other day, if there is any question, if need be, I can introduce a man who would be willing to take over the Brighton or any other contract at 25 per cent less than the city is giving today. I don't think the Public Works Commissioner has been duly solicitous of the city welfare when he suggests raise after raise year after year. Perhaps it would not be necessary to give the contractors additional rates and raise the cost of this business from \$400,000 in 1941 to \$1,600,000 today if the bids were let out at public auction. So I might go on answering many questions. Councilor Kinsella contends this huge payment of a million some odd dollars over and above any actual cost does not constitute graft. Perhaps it does not, but I say this to you, any man who will give me a sizable sum of money over and above the actual cost of something, I would be only too happy to split the difference with him. Probably it is not called graft but maybe friendship. So while he differs with the technique used by a more amateur politician who probably does not punch that way and while there may be some of you fellows who may have your own reasons for being silent, to me it does not look on the up and up. As for witnesses, gentlemen, all I can suggest is this: as you know, I have been battling this thing all year long, and it does not take any fellow very long to start a fight in any direction before the disgruntled people on the other side come to you and say, "I see you are leading the fight against this. I work for this contractor, and let me give you this information, run this down." And after a few months, you have quite a bit of ammunition if need be. If the Mayor had not taken this action as I asked him to, I can assure Councilor Kinsella that it would not have been any trouble at all for myself and my associates to have gone into court with sufficient witnesses and filed a subpoena *duces tecum*. That is a subpoena whereby the witnesses must bring books and records. It would take a long time to prove the case, but I think it can probably be proved that if there was not graft, there was more or less overpayment of money, hundreds of thousands of dollars.

President KELLY—Councilor Kinsella,—talking on the amendment.

Coun. KINSELLA—My thoughts have been scattered because of some of the confusing statements made. All I ask the other councilor to do is give us proof since he laid his charges before us and then, I am certain, he would have cooperation in accomplishing this purpose. If my memory is not playing me tricks, Councilor Madden last Monday stated among other things that the best price quoted for truck hire was \$3.50 an hour, and on the basis of a 40-hour week, that was \$126, driver and truck. Bear in mind, Mr. President, and the rest of the worthy members here, we are talking about the collection and disposal of garbage and ashes. I wonder by what trick, by what herculean effort a driver singly could operate his truck, roll out barrels of trash, throw up from the sidewalk and return the barrel to the sidewalk. There is not much doubt that anyone going into public works today and asking for one truck to be employed on ash collection and disposal would be told the fee was \$3.50 an hour for a driver and truck if he could do it alone. He would stand to make a substantial week's pay for himself but he can't do it alone. Let us get a look at the actual situation with reference to the difference between

\$561 a week which is the figure Mr. Madden used last week and \$126 for a driver and truck. The man who collects ashes on my street employs seven men to the truck. He employs a driver, two men on top who empty the barrels, two men who throw them up to him, and two men going ahead on rolling them out. Now, at the rate of \$1.10 an hour for laborers, seven men a day, you will get closer to the \$561 per truck paid out, on which it is to be expected the owner would be allowed a profit. The 18 per cent increase was held up to some ridicule, and yet we know the insurance rates on automobiles have gone up as of January 1 of this year. We know the contract embraces old age assistance payments, social security payments which must be met by the employer; there is workmen's compensation, compulsory automobile insurance, and there is the normal cost per week of operating a large truck. I haven't had time to do any figuring, but I can see that six men over and above the driver and truck will advance you well on the way to a reasonable explanation of the difference between \$126 for 40 hours and \$561. They are the two figures used by Mr. Madden a week ago. I don't think I should sit down without making reference to his explanation of the technique he employs. He said he learned it in the southwest Pacific where they bit hard and put them back on their heels and keep them there. That might be so, Mr. President, and unquestionably it was so when they were fighting for their individual lives and national existence, but it is rather tough to employ that technique on a man whose physical death you do not seek. It is rather difficult to employ that on a man who a very few months ago might have been a friend. It is rather difficult to employ that on a man who is admitted to have a wide following, one of the most responsible characters in the employ of the city. That is a rather cruel and last-resort type of technique to employ. As far as the suave technique and the cleverness of the old politicians in this Body are concerned, I don't see we have any cleverness, and I don't see where we are suave. The *City Record* is too replete with blistering language to claim we are suave. In too many respects we are not gentlemanly to each other. No, there is no suavity here. It seems to me the only thing that works here is the cutthroat technique, and I will say perhaps it did not take Mr. Madden too long to catch on to the fact that the cutthroat technique is more readily understood than the technique of gentlemanly behavior. We have all suffered the lash of each other's tongue in time past, but not one of us has made, in the five years and three days I have been in this Council, unwarranted and unfounded and unsupported and uncorroborated charges of graft and corruption against the official heads of the departments of the city. That is a technique that was not too long in learning. Then, let me paraphrase what Mayor Curley said today and attributed to Abraham Lincoln,— "If I prove to be right, my message can't be questioned. If I prove to be wrong, ten angels swearing I was right would not make me right." You ask a question, and for the record I want it thoroughly understood that if Councilor Madden is willing to corroborate his statements of a week ago today that such an onerous burden has been placed upon the shoulders of the taxpayers of the City of Boston, may I record myself as beholden, I shall get to my feet on this floor and defend his actions as much as now I appear to condemn them. I don't want my remarks characterized as condemnatory because we have yet to be confronted with some evidence which we can state either to be true or false and until it is condemned and proved to be false, my remarks are not to be construed as condemnatory. Neither can they be called laudatory, but they occupy some part of purgatory midway between laudatory and condemnatory. I might say as evidence of good faith to Mr. Madden that I rather wish him well in his search. I mean that. I can't think of any individual in the city, the Mayor or anyone else, whose individual welfare transcends in importance that of the welfare of the people who made him Mayor. I recognize no obligation to the Mayor, other than to defend his character when I think he is being unfairly assailed. I owe no allegiance to Robert P. Curley either personally or politically, but I do owe him the common, courteous human treatment of defense against some of the statements made against him a week ago. I shall be as ready to defend Councilor Madden against unwarranted attacks from whatever source while

I am still convinced that the attacks are unwarranted, and that the accuser can't substantiate the statements contained in the attack. But until such time as the councilor from Ward 22 says before me as a member of this Body something that is concrete and as tangible as he would be required to lay before a court of law, he will get very little, if any, support from me. Meanwhile, and as the peroration of my remarks today, I want again to avow publicly my interest in what has happened. I would like to see Mr. Madden make the headway he claims he can, but to say the contemplation of the construction of incinerators has rather stymied him is to say he is settling the charges of graft and corruption for the construction of incinerators.

President KELLY—The question now comes on the amendment.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase,—not having spoken on the amendment.

Coun. CHASE—Mr. President, I would like to call to the attention of the gentleman from South Boston, with the hope that he will withdraw his amendment and introduce it separately, that we have the power to act on matters—

Coun. LINEHAN—Will the gentleman yield?

President KELLY—Councilor Chase, will you yield to a question?

Coun. CHASE—Yes.

Coun. LINEHAN—If I withdraw the amendment that you want me to withdraw, will you yield to the question?

President KELLY—If Councilor Chase yields for a motion to be put to the floor, you automatically yield the floor, Councilor Chase.

Coun. LINEHAN—You talk.

President KELLY—Councilor Chase.

Coun. CHASE—Mr. President, I think in this case time is of the essence. I think the Council should go on record as asking his Honor the Mayor to submit these bids publicly and award the contracts to the lowest bidders. I have in mind, sir, when he submits the budget that the particular contracts involved will come before us as we have to appropriate the necessary moneys to pay for these contracts, and I think, sir, if his Honor the Mayor does not comply with the suggestion in my order, that the Council should move to strike out or hold up that particular item on ash and refuse removal contracts. Time is of the essence, and I would not want his Honor the Mayor to take this order with the amendments submitted by the South Boston councilor and shoot it up to the City Law Department and have it in abeyance there two or three months and, in the meantime, the Council will have acted on the budget which contains the ash and refuse items. With that in mind, I hope the gentleman will withdraw the order and submit it separately.

President KELLY—Are you withdrawing the amendment, Councilor Linehan?

Coun. LINEHAN—Before I withdraw, I want to say in answer to the councilor from Ward 12 (Councilor Cook), he went on to read from section 8 a long list of things pertaining to the Council and department heads and so forth. Before starting to read that long list, it says this: "Neither the city council nor any member or committee, officer, or employee thereof shall, except as otherwise provided in this act," and all the things I quoted were in the act. At this time I move to withdraw my amendment, and I will file it after the other matter.

The motion to withdraw the amendment was carried.

President KELLY—The question is on Councilor Chase's order.

The order was passed, under suspension of the rule.

INVESTIGATION OF ASH REMOVAL CONTRACTS BY ATTORNEY-GENERAL.

Coun. CHASE offered the following:

Whereas, There is evidence that the ash and refuse removal contracts are unjustifiably awarded to private bidders; and

Whereas, The Boston Finance Commission has on a number of occasions severely condemned this practice; and

Whereas, There have been utterances that this whole transaction is permeated with graft and corruption by a member of the City Government; and

Whereas, The Mayor of the City of Boston apparently proposes to continue this unjustifiable method of awarding contracts; therefore be it

Resolved, That the Attorney-General is hereby requested to investigate the ash removal contracts with a view to determining whether or not there is evidence of malfeasance, misfeasance or non-feasance by the Mayor in the awarding of them.

President KELLY—The Chair will rule the order out of order.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase,—for what purpose does the gentleman rise?

Coun. CHASE—On the resolutions.

President KELLY—The Chair will rule the resolution out of order. Councilor Coffey.

Coun. COFFEY—I ask unanimous consent to make a statement.

President KELLY—Councilor Coffey asks unanimous consent to make a statement. Any objection?

Coun. CHASE—I object.

President KELLY—Councilor Chase objects.

OPINION ASKED OF CORPORATION COUNSEL.

Coun. LINEHAN offered the following:

That Corporation Counsel furnish City Council with opinion as to whether or not contracts which extend for more than one year, come within section 6 of Charter, and an opinion as to what matters come within jurisdiction of Council, insofar as section 7 of Charter is concerned.

The motion to withdraw the amendment was carried.

Coun. LINEHAN—I move the order pass.

President KELLY—Councilor Coffey,—for what purpose does the gentleman rise?

Coun. COFFEY—Talking on the order, sir. I have sat down here a long time today and listened to a lot of stuff I used to throw here for years. There were several points brought out today that I did not like any too well. I want to ask for unanimous consent to talk on the matter that was before the Body, talking on ash contracts. I suppose we can talk in general. The Attorney General's name was brought in here today and the Finance Commission's name was brought in today, and I decided after being an officer a dozen years I am not qualified, I haven't the ability, I haven't the education, I haven't the sense to reason, I haven't anything, because I am not an attorney. Thank God, I am not an attorney. There are too many attorneys loafing today, plenty of them in my ward. Some of them I have to take care of, good attorneys, wonderful education, a lot of ability, but they are still glad to get on the city pay roll and get a week's pay. So I think that ought to cover the attorneys. As was expressed this afternoon, common sense will get you a hell of a lot further than an education will get you. Another thing I did not like what was brought out today, and that is what they did in foxholes. What they did in foxholes is forgotten just like it was forgotten what we did in the trenches in the last war. Of course, it is forgotten. The veteran is always the forgotten man. I remember only a year or two ago the youngest defense workers making \$125 to \$175 a week. Resolutions were passed at their union meeting halls that as fast as the veterans came home, they were going to give up their jobs for the veterans. They did not even have a furnished room for the veterans; nothing for the veterans. The veterans will have to fight for everything they get just like they had to fight after the last war. Some of them will land on the WPA like I did, and I am not ashamed to say I worked on the WPA for \$18 a week while I was married and had three children, and I got by on it. So I am doing all right up here getting \$40 a week. Did I say "plus"? To get back to the order, they bring out the Attorney General and the Finance Commission. Last Monday Councilor Madden had the guts to come up here and take a blast at things he thought were wrong. I don't argue with him. The only thing I opposed was the order itself which sought the removal of the Public Works Commissioner. Do you know, gentlemen, for the past four years, up until last year, on all contracts awarded by the Public Works Commissioner on those garbage and refuse collections, the prices were set by the War Manpower Commission? The Public Works Commissioner

had no more to say about it than either you or I. The Finance Commission was in on it and they sat down and set the price, they set the hours the men would work, and they set the salaries the men would receive. One of the councilors here argued that the contract of Coleman Brothers be taken away. We had the Coleman Brothers here before us. John Coleman came in and said, "I don't want the contract, I am losing money on it." We are all experienced legislators. We laughed at the man, but he gave the contract up, and two months after he gave it up the people who took the contract asked for more money, asked for city trucks, and city employees to go up and clean up the Dorchester district that Coleman Brothers gave up. I am bringing that out because some of the new members did not know about it. That took place in the Executive Session. Coleman Brothers gave the contract up and so far as I know, they have not got the contract today. Last Tuesday the Finance Commission said they had been investigating this matter for years and they issued the statement if Councilor Madden had anything, let him go to the prosecuting authorities or the proper authorities and let them handle it. The Finance Commission admitted that they have been investigating for years. We know the city is taken by contractors. Let us be honest about it. What the hell city in the United States is not being taken? What is politics? Why do the Republicans want to get Truman out of the presidency? So that they can get it and do it themselves. That is what politics is for, that is what I believe in, to the victor go the spoils. That is what Franklin D. Roosevelt did, he took care of his friends. Who elects you to office? Your friends. What are you going to do, turn on them? There were a dozen contractors in the city getting work, they were with Johnnie Kerrigan, and Johnnie Kerrigan took care of the contractors with him, and Tobin, didn't he take care of the contractors that were with him? Didn't he get in a couple of jams with contractors he did not take care of? Who does not take care of their friends? If I have a fellow in my district important to me and he wants something, I move heaven and earth to get that for the fellow. If the fellow gets in trouble, I will go to work to get him out of trouble, and I don't care what the trouble is. If he is a friend of mine, I will do my utmost to take care of him. That is what we do, that is what the Mayor will do, and that is what Governor Bradford will do, and that is what the President will do. The President had the guts to visit Pendergast when he was in jail, and I would do the same thing for my friends. Some may ask, "You are going to visit a man in Charles Street Jail?" I would say, "Yes." For the love of Mike, who the hell is above anybody else in this world, I want to know. There is nobody better than I am, and I am no better than anybody else, and thank God, I have the common sense to know I am no better than anybody else, not a hit better. The Finance Commission has admitted for years they have been investigating and they have nothing. If they did, you know what would happen. The members of the Council would not get a notice from them, you would read it in the press. After you read it in the press,—they always give it out on a Sunday—you would come in here the following day and they would tell you what happened. Four years ago the Finance Commission issued a statement to the press stating that the members of the Boston City Council hampered the work of the Public Works Department by putting trucks to work and by demanding the Public Works Commissioner put our friends on the pay roll. There were four or five of us, including the President of the Council, who took the floor and demanded that the Finance Commission come here and tell us who the councilors were who put these men to work or demanded that the Public Works Commissioner put trucks to work for them. They did not have the guts to come and they had no proof whatsoever on it. I can say without fear of contradiction that I have not asked to get a truck in Bob Curley's department since I have been in office, never asked him to put a truck on, and never will, and I don't want to do anything in his department. The only thing I am sure about is, we have to have the Finance Commission investigate, and now we have the Attorney-General. Why the hell doesn't the Attorney-General stop the bookies? They have supported him. I will give him names, if he wants them. After he investigates the bookies and the rest of the rackets, then he can come down to City Hall and investi-

gate us here. First of all, let him start in the State House, with the boys who give themselves salaries but put ours on the referendum; those who created jobs in City Hall without the permission and consent of the Boston City Council; the boys who created departments in the City of Boston without our sanction, without permission from us, without permissive legislation, without approval, without sending it to us, but sending it downstairs. His signature was enough to create department after department in the City of Boston, and at the same time they are screeching economy and hollering Plan E. Fred Willis wants Plan E for Boston, and Plan E for Saugus. Their tax rate is higher than ours. Still, they want Plan E for Boston. As far as I am concerned, personally, I don't give a damn if we have Plan E or not. If I run for office again, I don't care whether I run as a member for East Boston or as a member on a city-wide basis. But I don't want any city manager appointed that is going to come from the Back Bay of Boston where they say to these garbage trucks, "You can't come in until after eight o'clock in the morning. You can't wake our people so early. Our cats and dogs are not used to getting up until nine or ten o'clock in the morning. We don't want you rolling ash barrels before eight o'clock in the morning. You can't drive a truck over our streets. We don't want the trucks in our streets, but take them out to the rest of Boston. Don't come here where the blue bloods live. Don't bring any trucks on our streets, or peddlers. Yes, peddlers. Don't come on our streets to sell your wares. We don't want you on our streets. Go around the other streets if you have anything to sell, but don't come into our district and sell anything." Last year under Mayor Curley the councilor from Ward 4 (Councilor Chase) never came in and voted but sat out there at the telephone all the time calling up people and saying, "Hello, Johnnie. It has gone through, everything is all right."

President KELLY—For what purpose does the gentleman rise?

Coun. CHASE—The gentleman is out of order. He is not talking on the order.

President KELLY—I think he is leading up to a statement, councilor.

Coun. COFFEY—Now, I have led up to the statement, and have said about all I wanted to. What is the difference if it is Curley or Kerrigan? We will even go back to Tobin, and then let us go back to the sanctimonious Mansfield, the man who would not touch anything, the man who was "God-like" when he had a drink or two in him, and the man who had the biggest scandal in Boston, but when it was brought out in evidence he was found not guilty because he was elected by the blue bloods, picked up by the blue bloods, supported by the blue bloods, head of the Bar Association because the blue bloods control it. He was friendly with those on Beacon Hill at the time. Any other man like a little pal of mine, George E. Ashe, he would be investigated, he would be condemned, he would be crucified and sent to jail. What would happen? They would sit back and say, "One more Democrat we shouted out of office, and one more Democratic city in the next election." When the Democrats get up there, they don't know how to do it. We have to pay the Police Commissioner who is appointed by the Governor. We give him his salary. We have no jurisdiction over the Police Commissioner but we have to pay him, sure, because he was appointed by the Governor. Not one of the Democrats up there had common sense enough to give us home rule for Boston. Then we have councilors getting up here and kicking, "Curley is this and Curley is that." What the hell is it going to get you, anyway? I have fought a lone fight and this you must admit, I never asked any member to go along and give me a vote on anything, never once have I done it. I kept up a lone fight and I did all right, making that lone fight, too. The only thing that gets me is, just because it is Curley, just because it is Curley. How the hell are you going to condemn a man who has been indicted? Thirty years ago he was indicted and half a dozen years ago, and sentenced to jail. He comes back and says, "I want to be Congressman." So he is Congressman. He does not live in the district, but he says, "I want to be Congressman again." He does not live in the district, but he is Congressman. He throws his bat in the ring, and a million dollars has been spent against him, but 114,000 votes elect him Mayor of Boston. What are you going to do, fight him? As the

fellow says when playing cards and he does not get a good hand. "What are you going to do? Fight City Hall?"

The order was passed, under suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

The following appointments by the Mayor were ordered taken from the Committee on Constables and Confirmations, viz.:

Report on appointment by the Mayor (referred December 30) of Thomas Joseph Riley, 17 Mt. Vernon street, Charlestown, as constable for term ending April 30, 1947, authorized to serve civil process upon filing of bond.

Report on appointment by the Mayor (referred December 23) of Leo G. Grappocio, 47 Auburn street, to be constable without power to serve civil process, and to serve without bond for term ending April 30, 1947.

Report on appointment by the Mayor (referred December 23) of Benjamin Shulman, 112 Selden street, Dorchester, to be a Weigher of Coal for term ending April 30, 1947.

The question came on confirmation. Committee, Councilors Coffey and Russo. Whole number of ballots 12, yeas 12, and the appointments were confirmed.

REPORT OF COMMITTEE ON INSPECTION OF PRISONS.

The report of the Committee on Inspection of Prisons was taken from the committee, and submitted, as follows:

In accordance with the provisions of chapter 126 of the General Laws, the Committee on Inspection of Prisons submits herewith its annual report.

The customary semi-annual inspections of the Suffolk County Jail and the House of Correction at Deer Island were made by your committee and conditions in both institutions were found very satisfactory. Both institutions are in need of minor improvements, but due to the difficulty in obtaining essential materials at this time, this work will have to be done at a later date.

Attached herewith are reports showing the number of commitments, discharges, transfers, etc., at the Suffolk County Jail and House of Correction during the year 1946.

For the Committee,
JOSEPH RUSSO, Chairman.

The Commonwealth of Massachusetts,
County of Suffolk,
Office of Sheriff,
Frederick R. Sullivan,

June 30, 1946.

To the Inspectors of Prisons for the County of Suffolk.

Gentlemen,
Remaining December 31, 1945, men, 143; women, 58; total, 201.

Committed from December 31, 1945 to June 30, 1946, men, 3,210; women, 595; total, 3,805.

Discharged from December 31, 1945 to June 30, 1946, men, 3,211; women, 611; total, 3,822.

Remaining June 30, 1946, men, 142; women, 42; total, 184.

Poor debtors remaining December 31, 1945..	0
Poor debtors committed from December 31, 1945 to June 30, 1946.....	3
Poor debtors discharged from December 31, 1945 to June 30, 1946.....	3
Escapes.....	0
Insane.....	27
Deaths.....	2

Respectfully submitted,
FREDERICK R. SULLIVAN,
Sheriff.

The Commonwealth of Massachusetts,
County of Suffolk,
Office of Sheriff,
Frederick R. Sullivan,

December 31, 1946.

To the Inspectors of Prisons for the County of Suffolk.

Gentlemen,—I respectfully submit the following report of the commitments to, and the discharges from the Suffolk County Jail from June 30, 1946 to December 31, 1946:

Remaining June 30, 1946, men, 142; women, 42; total, 184.

Committed from June 30, 1946 to December 31, 1946, men, 2,654; women, 527; total, 3,181.

Discharges from June 30, 1946 to December 31, 1946, men, 2,676; women, 517; total, 3,193.

Remaining December 31, 1946, men, 116; women, 52; total, 168.

Poor debtors remaining.....	0
Poor debtors committed from June 30, 1946 to December 31, 1946.....	4
Poor debtors discharged from June 30, 1946 to December 31, 1946.....	4
Escapes.....	0
Recaptures.....	0
Insane.....	22
Deaths.....	3

Respectfully submitted,
FREDERICK R. SULLIVAN,
Sheriff and Jailer.

Suffolk County House of Correction,

July 1, 1946.

To the Inspectors of Prisons for the County of Suffolk.

Gentlemen,—I respectfully submit the following report of the commitments to, and the discharges from the Suffolk County House of Correction at Deer Island from January 1, 1946 to June 30, 1946:

Remaining December 31, 1945.....	447
Committed.....	828
Discharged.....	815
Remaining June 30, 1946.....	460

Showing How Discharged.

Expiration of sentence.....	506
Expiration of sentence and fine paid.....	40
Fine paid.....	2
Permit of Penal Institutions Commissioner.....	206
Order of court.....	7
Escaped.....	7
Died.....	3
Fine paid and P. P. C.....	2

Transferred to

Barnstable House of Correction.....	4
Salem House of Correction.....	1
Boston State Hospital.....	2
Norfolk Prison Colony.....	2
Concord Reformatory.....	9
Grafton State Hospital.....	2
Charles Street Jail.....	22

Respectfully submitted,
GEORGE F. A. MULCAHY,
Master.

Suffolk County House of Correction,

January 1, 1947.

To the Inspectors of Prisons for the County of Suffolk.

Gentlemen,—I respectfully submit the following report of the commitments to, and the discharges from the Suffolk County House of Correction at Deer Island from July 1, 1946 to December 31, 1946:

Remaining July 1, 1946.....	460
Committed.....	833
Discharged.....	812
Remaining December 31, 1946.....	481

Showing How Discharged.

Expiration of sentence.....	530
Expiration of sentence and fine paid.....	17
Fine paid.....	2
Permit of Penal Institutions Commissioner.....	219
Order of court.....	4
Escaped.....	2
Fine paid and P. P. C.....	3

Transferred to

Charles Street Jail.....	19
Springfield House of Correction.....	1
Westborough State Hospital.....	1
Grafton State Hospital.....	2
Concord Reformatory.....	7
Norfolk Prison Colony.....	4

Respectfully submitted,
GEORGE F. A. MULCAHY,
Master.

REPORT OF COMMITTEE ON CLAIMS.

The report of the Committee on Claims was taken from the committee and submitted as follows:

The Committee on Claims submits the following report showing the disposition of claims during the municipal year 1946:

Claims pending January 1, 1946..... 808
 Claims received during 1946..... 464

Total..... 1,272
 Claims disapproved during 1946..... 239
 Claims approved during 1946..... 112
 Reimbursements (claims as. city employees—
 not suits)..... 57
 Reimbursements (claims as. city employees—
 suits)..... 32

Total..... 440
 832

Amount paid on approved claims..... \$14,790.36
 Amount paid on reimbursements—not
 suits..... 4,450.79
 Amount paid on reimbursements—suits 16,763.52

Total amount paid out on claims in
 1946..... \$36,004.67
 Claims pending January 1, 1947..... 832

For the Committee,

THOMAS E. LINEHAN, Chairman.

The question came on the acceptance of the reports, and the reports were accepted.

CLEARING OF WARD 3 STREETS.

Coun. RUSSO offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to take immediate action to clear all of the streets in Ward 3 of the accumulated ice and snow and especially in the market district of this ward where the accumulated snow and ice has hindered the merchants trying to do business.

Coun. RUSSO—Mr. President, very briefly I do hope the Public Works Commissioner will see to it the ice and snow is removed in the vicinity of all churches and schools and synagogues in my district because last Sunday it was very deplorable no matter where you went. In the market section, some of the peddlers were unable to do business because they had no place where they could put their pushcarts to sell their vegetables and fruits; therefore, I do hope by this order it will all be removed.

The order was passed under suspension of the rules.

TEMPORARY REINSTATEMENT OF JOHN M. DEVER.

Coun. KEENAN offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation entitled, "An Act Authorizing the Temporary Reinstatement, for Retirement Purposes only, of John M. Dever as a Member of the Police Department of the City of Boston," provided such legislation includes a referendum to the Mayor and City Council.

Coun. KEENAN—I have introduced this at the request of the representative from South Boston. The bill is now before the Legislature, but we would like to have the order passed here by the City Council, and we ask for the suspension of the rules.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—It seems to me we ought to have a chance to take a look at the bill to find out what it is about rather than passing it under suspension of the rules. I move this go into Executive.

President KELLY—Councilor Muchnick moves it go into Executive.

Coun. KEENAN—I asked Representative Kelly with regard to the bill, and he informed me the police officer was suspended and reinstated and now he is looking for retirement.

President KELLY—Do you withdraw your motion?

Coun. MUCHNICK—No, Mr. President, particularly now having heard some explanation, I would like to hear more.

President KELLY—Councilor Muchnick makes a motion that this be referred to the Executive Session.

The Chair being in doubt asked for a rising vote, and the motion was lost. The order was passed under suspension of the rules.

RULES OF COUNCIL FOR 1947.

Coun. BAYLEY offered the following:

Ordered, That a committee of five members be appointed by the President to prepare and report rules to govern the proceedings of the City Council of 1947.

Coun. BAYLEY—I hope this will be passed, and I hope the committee when appointed will adopt a new rule this year which will limit the members to five minutes' debate, with the possible exception of ten minutes for the man introducing the order. I think the Council has lost caste by long and endless debates, and endless reiteration. I hope the members hereafter, with the exception of the proposer, will limit themselves to five minutes in debate so that business will be transacted efficiently, and we will have no more meetings lasting to nine or ten o'clock, which is bad in the view of the public.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick,—for what purpose does the gentleman rise?

Coun. MUCHNICK—I move that this be referred to the Committee on Rules when organized.

President KELLY—That is what I was going to do.

Coun. COFFEY—Mr. President.

President KELLY—Councilor Coffey,—for what purpose does the gentleman rise?

Coun. COFFEY—Talking on the order. This is ridiculous. If a councilor wants to get up here and holler and yell for an hour or two hours, he should be entitled to. The only way you can do anything is fighting on the floor. I give the councilors a lot of credit. I never walk out on them purposely. I have sat here and listened to them, and I tried to pay attention to what they have had to say. The only time I would leave here is when I had business on the outside. That is the only way we can get a reasonable explanation of things, to thresh them out right here. That is what we are here for. The councilor got publicity on an order similar to this a few months ago, and also publicity on the fact that the councilors were eating the taxpayers' money. He never refused the food up here, he ate as much as I did, if not more, and I don't eat too much. He is looking for a front page story, and he probably will get it, but it won't do any good in the section where he comes from. Seven dollars or eight dollars for a meal because we go into session at two o'clock and stay here until nine, and sometimes till midnight. Aren't we entitled to a bite to eat? Doesn't the Governor spend thousands and thousands of dollars on foreigners whom he entertains? Every Governor does it, every Mayor does it. Why aren't we getting something? We are getting a \$200 reduction in salaries, starting today. It wouldn't hurt his pocket if he bought the meal. If I had the money he has, I would buy the eats. I think the order ought to be killed. The only way you can reach an opinion and reach a just conclusion is to argue all night, if necessary. That is the only way. If a man has something on his mind, he might not be able to say it in five minutes. He might want to take the floor fifteen different times, and he is entitled to every time. As long as I have been in the Council, I have never moved the previous question to shut off debate. I don't think anybody else has done it with the exception of one or two, and that generally was done after everybody had their talk and everybody was satisfied. Let us talk the matters over and let us discuss them. Something may be important, and it cannot be threshed out in ten minutes, especially when it takes a few months to decide, like what the budget should be. I hope this order is killed.

Coun. KINSELLA—Mr. President, I don't think such an order as that ought to be entertained by the Body in view of the fact that the sponsor of the order had to be chastised by the Chair during the last World Series when he was running in and out, while we were debating city business, and announcing the scores to various members.

President KELLY—For what purpose does the gentleman rise?

Coun. MUCHNICK—A point of order. I think he is discussing the order, not the motion to refer it to the Rules Committee.

President KELLY—You made the statement you thought this order should be sent to the Committee on Rules. I have let two or three talk, and I will let Councilor Kinsella talk.

Coun. BAYLEY—A point of information. Will you ask the clerk to read the order?

President KELLY—The Chair will make the statement we have the rules here for 1946 and 1947. They are in effect now, and I think the new Rules Committee when appointed will submit a new series of rules to the members of the City Council. These rules are in effect as of 1946 and 1947, therefore, the order will go to the Committee on Rules.

Coun. BAYLEY—May the clerk read the order? It is similar to that passed last year at this time.

President KELLY—Just a minute. Councilor, I can clear up your mind on that. The order was passed last year because every two years we do submit a new set of rules.

Coun. KINSELLA—I want to conclude by saying on that day at least he prolonged the proceedings of the Council by his constant excursions into the room with notice of the latest score. If I remember correctly, Councilor Coffey asked Councilor Bayley to refrain from running in and out of the room while we were attempting to debate. The opening and closing of the door allowed the sounds of a blaring radio to come into the room, disrupting our contemplations. I don't think such an order as this ought to be passed by this Body, especially when the sponsor of it has contributed to a long session as he has.

President KELLY—It is referred to the Committee on Rules.

Adjourned, on motion of Councilor Bryan, at 6 p. m., to meet on Monday, January 13, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 13, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Carey, Coffey, Lane and Scannell.

The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the appointment of Bernard J. McCabe of 52 Woodard road, West Roxbury, to be constable without power to serve civil process, and to serve without bond for term ending April 30, 1947.

Referred to Committee on Constables and Confirmations.

APPOINTMENTS TO BOSTON HOUSING AUTHORITY.

The following were received:

City of Boston,
Office of the Mayor, January 13, 1947.
To the City Council.

Gentlemen,—Under the provisions of section 26M of the Housing Authority of the Commonwealth (as inserted in chapter 121 of the General Laws and as amended by section 1 of chapter 484 of the Acts of 1938) I hereby appoint John Carroll of 17 Elmira street, Brighton, to be a member of the Boston Housing Authority for the term expiring January 8, 1952.

I recommend the confirmation and approval of this appointment by your Honorable Body in the form of order submitted herewith.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the appointment by his Honor the Mayor of John Carroll to be a member of the Boston Housing Authority for the term expiring January 8, 1952, be, and hereby is, confirmed and approved.

City of Boston,
Office of the Mayor, January 13, 1947.
To the City Council.

Gentlemen,—Under the provisions of section 26M of the Housing Authority of the Commonwealth (as inserted in chapter 121 of the General Laws and as amended by section 1 of chapter 484 of the Acts of 1938) I hereby appoint Cornelius P. Cronin, 91 Bay State road, Boston, to be a member of the Boston Housing Authority for the term expiring January 8, 1950, *vice* Donald B. Stanbro, resigned.

I recommend the confirmation and approval of this appointment by your Honorable Body in the form of order submitted herewith.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the appointment by his Honor the Mayor of Cornelius P. Cronin to be a member of the Boston Housing Authority for the term expiring January 8, 1950, be, and hereby is, confirmed and approved.

Referred to Committee on Constables and Confirmations.

INCREASED SALARIES FOR CITY HOSPITAL NURSES.

The following was received:

City of Boston,
Office of the Mayor, January 13, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the President of the Board of Trustees of the Boston City Hospital, relative to your order

of December 26, 1946, concerning an increase of salaries of nurses employed in the Hospital.

Respectfully,
JAMES M. CURLEY, Mayor.

The Boston City Hospital,
January 3, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—Your letter of December 30, 1946, with inclosed order adopted by the City Council, who recommended that the salary of the nurses employed at the City Hospital be increased by \$600 per year, was discussed at the meeting of the Board of Trustees held today.

At a meeting of the Board of Trustees held on December 23, 1946, it was voted that the graduate nurses at the Boston City Hospital be given a \$200 increase, in addition to the Emergency Compensation Allotment of \$200 and the contemplated \$200 increase proposed by you for 1947.

Sincerely yours,
MARTIN J. ENGLISH, M. D.,
President, Board of Trustees.

Placed on file.

COMPENSATION TO PARENTS OF CHARLES G. SULLIVAN.

The following was received:

City of Boston,
Office of the Mayor, January 13, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Law Department in connection with your order, dated July 22, 1946, relative to the matter of compensation to the parents of Charles G. Sullivan, who died as a result of being hit by a golf ball while caddying at the George Wright Municipal Golf Course.

Respectfully,
JAMES M. CURLEY, Mayor.

Law Department,
Boston, January 7, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—As a direct result of being struck by a golf ball while working as a caddy at the George Wright Municipal Golf Course in Hyde Park, Charles G. Sullivan, 485 Poplar street, Roslindale, died on the seventh of July, 1946. The City Council on the twenty-second of July, 1946, passed an order requesting the Law Department to take "the necessary steps to compensate the parents of the late Charles G. Sullivan." You have requested me to consider and report on this matter.

From a review of the facts and the pertinent provisions of law there appears to be considerable doubt that Charles Sullivan could be found to be an employee of the City of Boston within the meaning of section 69, chapter 152, of the General Laws. However, his parents may, under section 31 of chapter 152, file a claim for compensation and if the claim is resolved in their favor, they would be entitled to a maximum of \$2,500 under this section, and an additional \$250 for funeral expenses under section 33 of the same chapter.

The only certain method to secure compensation for the parents of Charles Sullivan would be by Act of the General Court authorizing the city to pay a stated amount to discharge the moral obligations in this case.

Very truly yours,
JOSEPH A. SCOLPONETI,
Corporation Counsel.

Placed on file.

COVERING ELEVATED THIRD RAIL.

The following was received:

City of Boston,
Office of the Mayor, January 13, 1947.
To the City Council.

Gentlemen,—I am transmitting herewith a communication received from the President and General Manager of the Boston Elevated Railway Company in connection with your order dated December 30, 1946, regarding the covering of the third rail of the E1, together with inclosure mentioned therein.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston Elevated Railway Company,
Boston, January 9, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir:—In reply to your letter of January 6, with copy of order of the City Council requesting that the Trustees of the Boston Elevated Railway make immediate plans to cover the third rail of the El for the protection of life, and to insure continuous service in icy weather, I would say that many studies have been made as to the feasibility of covering the third rail but a wholly satisfactory covering for the third rail has not yet been found.

I inclose copy of letter dated April 4, 1946, written by our Vice-President and General Attorney to members of the Committee on Public Safety of the Boston City Council, with regard to the most recent study for covering the third rail in the Cambridge Subway, Dorchester Tunnel and Dorchester Rapid Transit Extension, which is self-explanatory.

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

Boston Elevated Railway Company,
Boston, April 4, 1946.

To the Committee on Public Safety,
Boston City Council.

Re: Covering of Third Rail on Rapid Transit Lines.
Gentlemen,—The Boston Elevated Railway Company having complied with your request of January 31, 1946, made during the meeting of your committee in the Executive Chamber, City Hall, Boston, that the Company make a study of the question of covering the third rail on the Rapid Transit Lines, herewith reports that a study has been made by the Railway's engineering staff, by our technicians, and by our experienced keymen who are fully qualified to make such a study.

In the first place, it is believed that there can be no question but that the lines being considered exist in a private right of way within the limits of which the general public, as such, is legally excluded.

It should be borne in mind that the portion of the Cambridge-Dorchester Tunnel, known as the Dorchester Rapid Transit Extension, was built by the City of Boston and that the rails and equipment therein are the property of the City of Boston. Any changes such as have been suggested would require the joint action of the Department of Public Utilities, the Transit Department of the City of Boston and the Railway.

It should also be kept in mind that any proposed changes would have to cover the entire Cambridge-Dorchester line and not just the open section known as the Dorchester Rapid Transit Extension. The reason for this is relatively simple. To provide a covering for the third rail, this rail would have to be removed farther away from the nearest track rail than it is at present, and a new type of third rail shoe would have to be installed on the cars to contact the third rail in its new location. It would be impossible to operate cars on the Dorchester Rapid Transit Extension with a part of the line equipped with a covered third rail and leave the remainder of the line with the present third rail, for the reason that the third rail shoe on the cars would not contact both the covered third rail in its new location and the present third rail.

To cover the third rail as was suggested at the hearing would require an estimated expenditure of nine hundred and sixty-one thousand (961,000) dollars.

A breakdown of this estimated expenditure is as follows:

- (a) For changes in roadbed and third rail—\$751,000.
- (b) For changes in power equipment—\$160,000.
- (c) For changes in rolling stock—\$50,000.

In these figures is included the sum of \$50,000 for relocating the fence on the West Boston Bridge. It should be noted that:

1. The suggested change involves 20.6 miles of single track.
2. The reconstruction could not be made without stopping the operation of train service and it is impossible to measure the extent of the inconvenience that would result to the public who use this service.
3. The best estimate of the time that would be required to do the work is eleven (11) days.

4. The change would make it unsafe for anyone to use the present footwalk of the West Boston Bridge.

5. The work would necessitate the moving of fences and poles out into the roadway. This might require legislative action.

6. When the work was completed it would have reduced the margin of safety for employees and inspectors who have to go on the line, because of the projection of the shoes on the opposite side of the footwalk.

7. It would not be possible to provide a protected third rail on the Dorchester Rapid Transit Extension without changing the contact shoes on all cars, and changing certain apparatus under the cars; fixed structures, such as conduits, air pipes, etc., would have to be moved to clear the path of the contact shoes on either side of the train.

It is our understanding that a wholly satisfactory covering for a third rail has not yet been found—one, surely, that is not foolproof, and no such device can be depended upon absolutely to prevent accidents.

It is worthy of note that a recent, careful check up of our records for a period of twenty years, shows but five fatalities to trespassers due to the third rail. Of these, three were children, ages respectively, two of them seven years and one ten years; the other two were adults.

As you know, in the Dorchester Extension private right of way, there are no intersections, no crossings or footpaths, which may be used to cross tracks, the whole right of way being fenced in by a seven-foot three-inch chain link fence. This fence is so close to the ground that it is not possible for a child, or anyone else, to get under it. Police Officer Palombo testified at the hearing (page 29 of the transcript), in answer to a suggestion that most of the boys burrow under, that "It is almost impossible to get under. It (fence) has a concrete base all the way over and I tried to pick up the fence and it is impossible to even move it two or three inches." Although a daring or venturesome child or adult might summon up sufficient courage to climb over it, to increase the height of this fence for any reasonable distance would probably not prevent some person from climbing over it.

Now, with reference to illumination of the right of way. The Company has been experimenting for many years with 1,000-foot silhouette lighting at Field's Corner Station on the Clayton street curve. Our studies showed that a headlight of sufficient capacity to illuminate the roadbed would be objectionable for the following reasons—blinding the motormen of trains on the opposite track and throwing the powerful lights on the private property adjoining the right of way. But the principal objection was that it would not illuminate the roadbed on curves, as the light would be fixed in a permanent position, suitable only for tangent tracks. Engineers found that the most practical solution of this entire matter might be to extend this silhouette illumination, which would require ninety-five additional units at a cost of about thirty thousand (30,000) dollars. The Railway is prepared to cooperate with the Transit Department of the City of Boston in effecting the installation of these additional lighting units.

May I be permitted to express my appreciation for the courteous consideration extended to me and the other representatives of the Railway at the hearing before your Committee.

Very truly yours,
CHARLES A. MCCARRON,
Vice-President and General Attorney.

Placed on file.

STANDARD FORM OF APPLICATION FOR ABATEMENT.

The following was received:

City of Boston,
Office of the Mayor, January 6, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Board of Assessors, in reply to your order, dated December 16, 1946, concerning the establishment of a standard form of application for abatement.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Board of Assessors, December 30, 1946.
J. Joseph Connors,
Chief Clerk, Mayor's Office.
Re: City Council order, December 16, 1946,
to establish a standard form of application for
abatement.

Dear Sir,—The right to establish any form of an
application for abatement is contained in chap-
ter 58 of the General Laws and is entirely governed
by legislation.

Chapter 59, section 59, reads as follows:

A person aggrieved by a tax assessed upon
him may, except as hereinafter otherwise pro-
vided, on or before October 1st of the year to
which the tax relates or, if the tax is other than
a poll tax and the bill of notice was first sent
after September 1st of such year, on or before
the thirtieth day after the date on which the bill
or notice was so sent, apply in writing to the
Assessors, on a form approved by the Com-
missioner . . .

Pursuant to the above section of the General
Laws, the Board of Assessors has no authority to
establish any form of an application for abatement
inconsistent thereto.

Very truly yours,
BOARD OF ASSESSORS,
PETER J. ALLEN, Chairman.

Placed on file.

STREET LIGHTING AT COLUMBIA
VILLAGE.

The following was received:

City of Boston,
Office of the Mayor, January 13, 1947.
To the City Council.

Gentlemen,—I transmit herewith communica-
tion from the Acting Executive Director of the
Boston Housing Authority, relative to your order
of December 9, 1946, concerning street lighting at
Columbia Village.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston Housing Authority,
Boston, January 6, 1947.

Hon. James M. Curley,
Mayor of Boston.

Subject: Street Lighting, Columbia Village.

Dear Mr. Mayor,—This is in answer to the City
Council order of December 9, 1946, relative to
street lighting at Columbia Village, which was
brought to this Authority's attention on December
16, 1946.

You are advised that this office has contacted
the Boston Edison Company and has been assured
that proper lighting facilities should be completed
at Columbia Village by January 10, 1947, approxi-
mately.

A copy of a letter from the Boston Edison Com-
pany dated January 3, 1947, is enclosed for your
information.

Very truly yours,
JEREMIAH F. SULLIVAN,
Acting Executive Director.

For the Authority.

Placed on file.

APPROPRIATION RE VETERANS' DIS-
CHARGES AND MORTGAGE PAPERS.

The following was received:

City of Boston,
Office of the Mayor, January 13, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached
communication from the City Clerk in which a
special appropriation is requested to meet the costs
of recording and binding veterans' discharges and
mortgage papers.

I am informed that the present appropriation
for this purpose is nearly exhausted and needs
replenishment immediately in order to keep pace
with the great influx of recorded papers in the City
Clerk's office.

Accordingly, I submit herewith an order for a
special appropriation of ten thousand dollars and
respectfully request its passage prior to the sub-
mission of the annual budget.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Office of the City Clerk, January 10, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—I respectfully request a special appro-
priation in the amount of \$10,000 be allowed this
department for Recording and Binding of Veterans'
Discharges and Mortgage Papers, etc.

This appropriation is made necessary in order to
properly record a backlog of some 2,100 mort-
gages, and keep pace with the abnormal number
of mortgages filed in this office for recording.

It is hoped that with the addition of three new
employees provided for in the budget, plus a con-
tinuance of overtime work chargeable to the special
appropriation, it will be possible to reduce the
number of uncopied mortgages to a reasonable
figure.

In view of the fact that the special appropriation
of 1946 is nearly exhausted, I respectfully request
that the appropriation as herein requested be
submitted in advance of the budget, to the City
Council.

Respectfully,
J. B. HYNES, City Clerk.

Ordered, That the sum of ten thousand dollars
be, and hereby is, appropriated to be expended by
the City Clerk as hereinafter specified, said sum to
be raised by taxes on the polls and estates in the
City of Boston and that all orders hereafter passed
by the City Council relating to appropriations,
taxes and the interest thereon apply to the approp-
riations and taxes herein provided for Recording
and Binding of Veterans' Discharges and Mort-
gage Papers, etc., \$10,000.

Referred to Executive Committee.

PETITIONS REFERRED.

The following petitions were received and re-
ferred to the committees named, viz.:

Claims.

Walter W. Anderson, for compensation for dam-
age to car by city car.

Brink's, Inc., for compensation for damage to
truck by snowplow.

Louise A. Carter, for compensation for damage
to coat caused by catbching on "No Parking" sign
on Dudley street.

Vera D. Drooker, for compensation for damage
to car by police car.

John J. Foley, for compensation for loss of
jacket while patient at City Hospital.

John P. Hennessey, to be reimbursed as result
of accident which occurred while in performance
of duty.

Michael Brothers, to be reimbursed as result
of accident which occurred while in performance
of duty.

Thomas F. Delaney, to be reimbursed as result
of accident which occurred while in performance
of duty.

John J. Donnelly, to be reimbursed as result
of accident which occurred while in performance
of duty.

William H. Fuller, to be paid wages due him as
employee at City Hospital.

Flominio Greco, for compensation for damage
to property at 324 Sumner street, East Boston,
caused by defective water main.

Jeremiah F. Murnane, to be reimbursed for
executions issued against him.

Louis Pappas, Jr., for compensation for damage
to car caused by an alleged defect in Beacon street.

Mary K. Sbechan, for compensation for damage
to property at 540 Asbmont street, caused by
work being done on water main.

U. S. Army, for refund on tunnel and ferry
tickets.

Mary Walsh, for compensation for injuries and
damage to car and coat caused by horse-drawn
wagon of Public Works Department.

E. I. DuPont DeNemours & Co., Inc., for com-
pensation for damage to property at 140 Federal
street, caused by break in water lines.

Committee on Licenses.

Petition of Boston Elevated Railway Company
to operate motor vehicles between Maverick street
and General Logan Airport.

Petition of Heggie Iron and Metal Company
for driveway opening at 194 Freeport street,
Ward 16.

Petition of Strand Daylight Bowling Alleys, 543 Columbia road, Dorchester, to operate bowling alleys on the Lord's Day.

Petition of Esto Pasquarosa, 216 Dudley street, Roxbury, to operate bowling alleys on the Lord's Day.

MINORS' LICENSES.

Petitions for licenses were received from five newsboys. Permits granted, under usual conditions.

PERMIT FOR CHILDREN TO APPEAR.

A petition for children under fifteen years of age to appear at places of public amusement was received, viz.

Marguerite Korkmas, at J. J. Williams Hall January 18 and 19.

Permit granted, under usual conditions.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Thomas J. Riley, having been duly approved by the City Treasurer, was received and approved.

COMMITTEE ON COUNTY ACCOUNTS.

Petition of Clifford E. Smith, chief probation officer, West Roxbury District Court, for retirement under the provisions of chapter 678 of the Acts of 1945.

HEARING ON PETITION FOR INCREASED TELEGRAPH RATES.

Notice was received from the Public Utilities Department of hearing to be held February 14, 1947, at 10.30 a. m., on petition of Western Union Telegraph Company for authority to increase certain rates and charges.

Placed on file.

REPORT OF FINANCE COMMISSION RE GARBAGE DISPOSAL.

The following was received:

City of Boston,
Finance Commission, January 8, 1947.
To the Honorable the Mayor and City Council.

The Finance Commission would like to make plain its position in the present situation with regard to the city contracts for the collection and disposal of refuse. That position is now, as it has been for many years past, simply this. The Commission is convinced that the separation of the collection of refuse from the disposal of it, in city contracts, and the disposal of refuse in modern incinerators is the most scientific and the most economical method. It is the accepted method in all the large cities of the country and in a great many of the smaller municipalities. Furthermore, it is the only method by which Boston will release itself from the control which a few contractors now exercise over the business of picking up and disposing of household refuse and the refuse collected from the business centers. Therefore, as stated many times in formal reports and in conferences with public works commissioners and with mayors, the Commission believes Boston should adopt incineration. When incinerators are provided there will be no excuse for awarding contracts for collection of refuse without advertising. Competition, even without incineration, could have been obtained for the 1947 contracts had the effort to obtain such been started at the right time.

The present control over the contracts for this work by a small group of contractors has resulted in charges having skyrocketed within the past few years. A comparison of prices paid in 1941 with prices paid in 1946 and the contract prices

for 1947 reveals the extent of the increase in cost of this service. This comparison follows:

DISTRICT.	1941.	1946.	1947.
South Boston.....	* \$46,680	\$100,932	\$119,100
East Boston.....	34,788	93,228	110,004
Charlestown.....	17,988	39,732	46,884
Brighton.....	35,940	† 183,000	240,720
West Roxbury.....	57,900	94,104	111,048
Jamaica Plain.....	—	87,600	103,368
Dorchester.....	156,000	} 478,284	} 564,372
Elm Hill.....	15,600		
Dudley.....	26,998	67,200	79,296
Mission Hill.....	—	60,600	71,508
Back Bay.....	30,480	50,052	59,064
Stuart.....	—	57,852	68,268
Hyde Park.....	10,188	41,856	49,392
Totals.....	\$432,552	\$1,354,440	\$1,623,024

* South Boston became a contract district in 1942; figure used is that of 1942.

† This figure includes three months of year at \$10,000; nine months at \$17,000 per month.

‡ In addition there was, in 1946, a disposal charge of \$3,000 per month for four months; in 1947 the disposal charge will be \$3,000 per month for twelve months.

The cost of disposal of refuse and garbage by separate contract in the central business area and adjacent residential areas has also strikingly increased. Comparison follows:

1941.	1946.	1947.*
\$320,000	\$414,000	\$488,520

Contractors' control of refuse collection is a development which, in large measure, came with the war. During this period the prosecution of the war had first call on all services and no contractor not then engaged in refuse collection was interested in it to the extent that he would try to obtain any of the work. Equipment available for it was limited to that then in such actual use, because — due to war demands — many contractors could employ their equipment in other lines, and preferred it; labor was scarce, and a new contractor in the field would have found it difficult to obtain the necessary manpower to perform the service. Finally, it would have been difficult for contractors not then engaged in this work to have found satisfactory dumping places, because those then holding the contracts had what seemed to be a monopoly of the right to use the only dumps available. These conditions were enough to keep the number of those who might seek the contracts to the small number who already had them.

The contract-making authorities contend, despite the present greater volume of available equipment, that there has been no change in these wartime conditions. They add, in defense of award without advertised competition, that the present contractors give adequate service and, for that reason alone, it is best to continue to give them the work. Moreover, the contract-making authorities seem to feel positively that no acceptable competition is obtainable; that no other contractor would dare submit a bid; that no other contractor could get a foothold in the work. Apparently what they mean is that the present group of contractors, by one means or another, would make it impossible for any other to carry on the work successfully.

So long as city officials follow that philosophy, there is little hope of changing the situation. Nevertheless, there are many — including contractors — who claim that equipment is now available to many other contractors, and that access to dumping places can now be arranged by any who obtain the contracts. They point to the Brighton-Allston situation where it is now the city, not the contractor, which provides the dumping place. Yet the present Brighton-Allston contractor has alone been given consideration in the award of the contract for that district on the assumption that he had exclusive use of the only local dump available.

Whether or not it has been possible to obtain competition for these contracts, no serious effort has been made to obtain it. In fact, the course followed by the city contract-making authorities makes real competition practically impossible,

which can be readily shown. Each year end when the old contract is about to expire, the contractor presents his demand for carrying on the work in the coming year. If the award is to be by negotiation between the city agent and the contractor, this demand is presented in a conference which takes place between the middle and the end of December. The contracts begin January 1. If, on the other hand, the city advertises for bids for the work, the advertisement will appear usually about the first week in December. It has often been later.

The result in either case is that the city receives only what amounts to an ultimatum from the contractors. In negotiations, the contractor in effect informs the city, "Pay us _____ dollars, or we won't work." In response to advertising for bids, the price offered will be the same. The reason is that when this demand is made, the city has made no plans to take over the work by any other method if it considers the demands unreasonable. It has been observed that the contractors never reduce their original demands. Sometimes there may be several conferences, but eventually — often on New Year's eve — the city accepts each contractor's ultimatum.

In other words, at the time of the award, there is nothing which the contract-making authorities can do but yield to the contractors. Collection of refuse must be continuous, and the old contract is expiring on December 31; and if the city is to have January collection, it must be arranged for by the only method and price then obtainable which is the acceptance of the contractor's price.

If the city is to try seriously to obtain the best price for this work, it must start to obtain it several weeks earlier than is the custom. In September or October is not too early. There would then be plenty of time to plan another method to follow if the contractors' prices are unsatisfactory. By delaying determination of the awards until the latter part of December, the city, in this respect, is at the mercy of a few contractors. The city must accept their demands or there will be no arranged collections on and after January 1.

Many times in the past decade the Finance Commission has advocated abandonment of the ancient contract disposal method. The Commission has recommended the substitution of disposal by incineration, preferably under city auspices. This method can then reduce collection costs, but only if the city will seek competition for the collection contracts. Many contractors now have, or can obtain, the trucks and labor necessary for collection only. Any contractor with equipment can pick up the refuse and truck it to an incinerator. The "old bogey" about dumps being controlled will no longer exist.

Incineration will be less harmful to the health of the people and no more costly than dumping refuse on land. The dumps in Boston are few and, such as they are, they are not far enough away from residences to be proof against complaint that they are menaces to the public health. There is no such objection to incinerators. Furthermore, one big incinerator in the South End of the city can become a source of profit by intelligent use of its by-products.

Recently the Finance Commission has been informed by the Public Works Commissioner that he has received instructions to advertise immediately for bids for the construction of an incinerator in Brighton. The appropriation for it has been available for months. This would be the first of a number (4 or 5) which the Finance Commission recommended be constructed on the perimeter of the city. The Commission has also been informed by the Public Works Commissioner that he was instructed by the Mayor to take necessary steps immediately for an incinerator on Southampton street, in the vicinity of the City Hospital. (The Finance Commission originally suggested as the site city-owned land on Albany street but has no objection to the Southampton street site instead.)

Simultaneously the newspapers carried an announcement from the Mayor that he would recommend to the Council the appropriation of \$2,000,000 to be used in this incinerator building program.

Because of these representations by the Public Works Commissioner and the Mayor, the Finance Commission assumes that at last the abandonment of disposal by contractors in land dumps and the substitution thereof of disposal by incineration is in sight.

A lower cost of this important public service and a scientific disposal method are not the only good to which the citizens can look forward as a result of this decision. It may be and can well be that the city has seen and heard the last of the annual New Year's eve clamor about the contracts for the disposal of city refuse.

Respectfully submitted,
 EDWARD F. MULLEN, Chairman,
 ALEXANDER WHEELER,
 LEO J. DUNN,
 FREDERICK DEANE,
 FREDERICK W. ROCHE,

The Finance Commission.
 ROBERT E. CUNNIFF, Secretary.
 Placed on file.

APPOINTMENT OF COMMITTEES.

President KELLY announced the appointment of the following committees for 1947:

Executive.

All the members, Councilor Fish, chairman.
 On the following committees the first-named member is chairman.

Appropriations.

Councilors Fish, Coffey, McCormack, Moriarty, Muchnick, Cantwell, Lane.

Claims.

Councilors Linehan, Carey, Kinsella, Scannell, McCormack.

County Accounts.

Councilors Bryan, Moriarty, Hannon, Chase, Cantwell.

Finance.

Councilors McCormack, Russo, Hurley, Bryan, Fish, Scannell, Kinsella.

Inspection of Prisons.

Councilors Russo, Carey, Chase, Lane, Moriarty.

Legislative Matters.

Councilors Hannon, Cook, Coffey, Lane, Kinsella.

Licenses.

Councilors Coffey, Scannell, Fish, Hurley, Moriarty, Cantwell, Kinsella.

Military Affairs.

Councilors Scannell, Carey, Keenan, Madden, Bayley.

Ordinances.

Councilors Hurley, Coffey, Scannell, Cantwell, Cook, Sullivan, Bryan.

Parkman Fund.

Councilors Lane, Russo, Bryan, Linehan, Chase.

Printing.

Councilors Keenan, Sullivan, Madden, Hannon, Russo.

Public Lands.

Councilors Moriarty, Fish, McCormack, Hurley, Scannell.

Rules.

Councilors Sullivan, Russo, Scannell, Carey, McCormack.

Building Code.

Councilors Carey, Fish, Russo, Sullivan, Keenan.

Constables and Confirmations.

Councilors Bryan, Cook, Madden.

Hospitals.

Councilors Hurley, McCormack, Cantwell, Coffey, Scannell, Sullivan, Kinsella.

Parks and Playgrounds.

Councilors Bayley, Madden, Lane, Moriarty, Bryan.

Post-War Planning.

Councilors Chase, Linehan, Keenan, Muchnick, Hannon.

Public Housing.

Councilors Kinsella, Carey, Linehan, Russo, Sullivan.

Public Safety.

Councilors Kinsella, Hannon, Lane, Madden, Cook.

Public Welfare.

Councilors Madden, Keenan, Bryan, Muchnick, Bayley.

Unclaimed Baggage.

Councilors Cook, Muchnick, Bayley.

Voting Machines.

Councilors Cantwell, Sullivan, Moriarty, Linehan, Chase, Bayley, Muchnick.

Public Works.

Councilors Sullivan, Bryan, Cantwell, Kinsella, Moriarty.

PAYMENT TO WIDOW OF
JOHN J. MAGNER.

Coun. KINSELLA offered the following:

Resolved, That the Boston City Council in meeting assembled go on record as approving legislation that will permit the payment of an annuity to the widow of John J. Magner, late member of the Boston Fire Department, provided such legislation contains a referendum to the Mayor and the City Council of Boston.

Passed under suspension of the rule.

PRINTING OF MUNICIPAL REGISTER, ETC.

Coun. HANNON offered the following:

Ordered, That the Statistics Department be authorized, under the direction of the Committee on Rules, to prepare and have printed the Municipal Register for the current year; and that the Clerk of Committees be authorized to prepare and have printed a pocket edition of the Organization of the City Government, the expense of said register and organization to be charged to the appropriation for City Documents.

Passed under suspension of the rule.

SALARY OF CHIEF ENGINEER,
CITY HOSPITAL.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to direct the trustees of the Boston City Hospital to pay to the chief engineer of the City Hospital a salary commensurate with his duties.

Passed under suspension of the rule.

INCREASED PENSIONS FOR RETIRED
CITY EMPLOYEES.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of increasing the pensions paid to all retired city employees.

Passed under suspension of the rule.

PEDESTRIAN STAIRS FROM COLUMBIA
STATION BRIDGE.

Coun. LINEHAN offered the following:

Whereas, The Traffic Commission agrees that a hazardous traffic condition dangerous to pedestrians exists on Old Colony avenue, in the vicinity of Lynch's Gasoline Station, Ward 7, it is

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to have plans prepared and funds allocated for the construction of pedestrian stairs leading down from the Columbia Station Bridge to the sidewalk below adjoining the City of Boston Weighing Station so that people living in Old Harbor Village will not have to cross heavily traveled dangerous highways when they are going to and coming from Columbia Station of the Boston Elevated Railway Company.

President KELLY—Councilor Linehan,

Coun. LINEHAN—Mr. President, in filing this order, which is similar to the one I filed about one month ago, in which at that time I requested the Park Commissioner to put enough money in the budget for the stairs leading down to the

platform below Columbia Station so that people would not get injured going to and coming from the Old Harbor Village to Columbia Station, at that time I was informed that particular project would come under the supervision of the Park Commissioner, but I found out last week that the Park Commissioner returned a memorandum to the City Council stating through his Honor the Mayor that he thought, after due study was made, that particular project would come under the Public Works Commissioner. So, rather than writing personal letters to the Public Works Commissioner, I am asking the City Council to have this made a matter of record, and I hope the Public Works Commissioner gets on the ball and puts enough money into the budget to have this work done early in the spring.

The order was passed under suspension of the rule.

DRIVEWAY OPENING, RUTHERFORD
AVENUE.

Coun. KINSELLA—I make a motion, Mr. President.

President KELLY—Councilor Kinsella, what is your motion?

Coun. KINSELLA—I move the matter of the sidewalk opening for Mr. Scheider be taken from the 1946 Committee on Licenses and acted upon by the Body. I would like to speak on the motion, Mr. President.

President KELLY—Councilor Kinsella,

Coun. KINSELLA—Mr. President, I am reluctant to do this, in view of the fact that the Chair has announced committees for 1947, but this is a perfunctory matter. Mr. Scheider received permission from the Street Department to construct a one-story lubritorium in Charlestown and as a consequence thereof has filed for sidewalk openings, one to be 15 feet and the other to be extended from 10 feet to 15 feet. In short, he has a 10-foot opening which he wants to increase to 15 feet, and he requires in addition to that opening another 15-foot opening. I think the members of the Council will recognize this is not controversial, and I do wish the new chairman were here, but Councilor Seannell, the chairman for last year, agreed he would advance the motion to the Body, and since I do not see either Councilor Seannell or Coffey here, and we are holding up this man, and since it is a routine, perfunctory matter, I would like to ask the Body to vote that approval so that Scheider can get going with his business.

President KELLY—How long has that been in committee, councilor?

Coun. KINSELLA—Some time early in December, Mr. President, I have not checked, but I will check it.

President KELLY—It is a difference between 12 and 15 votes. If it is early in December, it is 12; later on it is 15. That is why I ask.

Coun. KINSELLA—I will ask the Chair to suspend action to get the facts which are reliable.

President KELLY—Thank you, councilor.

Coun. HANNON—Mr. President, a point of order.

President KELLY—Councilor Hannon.

Coun. HANNON—How is it in any committee? The committees were abolished. We agreed on that at the last meeting that the committees were abolished, and everything in there abolished with them. I think the matter is before us now unless it is again referred to committee.

President KELLY—The matter is still in committee, but last week we did not have any members of the committee so they could not function last week. We have now new committees. We have named a new committee today.

Coun. HANNON—The matter was referred to the old committee, and the old committee was abolished. I can't see how any matter can stay with the committee unless it is referred to the committee.

President KELLY—The matter will stay in the committee, councilor, and when the new committee comes in, it can take whatever action it so desires to take.

Coun. HANNON—I raise a point of order, Mr. President. Everything in the committees is referred to the Body. It is to be referred again by the Body to the committee.

President KELLY—I am sorry. The point of order is not well taken. It is still in committee,

and the new committees were appointed today and they can take whatever action they want and see fit to take on what is left with the committees.

Coun. HANNON—I will make an order later to take care of it.

President KELLY—Any further orders, motions or resolutions? Councilor Linehan.

Coun. LINEHAN—A point of information, Mr. President.

President KELLY—State the point of information.

Coun. LINEHAN—It seems to me the list of committees is getting longer and longer every year, and this would probably be a good time that the Committee on Post-War Planning be abolished because the war is over, unless we are thinking of the next war which might come in the near future. I wonder if we ought to have that committee showing at all.

President KELLY—The Chair will entertain a motion to abolish any committee when there are fifteen members of the Council present. Any further motions, orders and resolutions?

Coun. HANNON—What good is the Committee on Voting Machines? As a point of curiosity, it found last year we had no function.

President KELLY—If there is a motion to abolish when fifteen members are present, it will be considered. Councilor Cantwell moves we now take a recess for the purpose of going into Executive Session.

RECESS.

On motion of Councilor Cantwell, the Council voted to take a recess at 2.35 p. m. The members reassembled and were called to order by President Kelly at 3.05 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) for appropriation of \$10,000 to be expended by the City Clerk for recording and binding of veterans' discharges and mortgage papers, etc.—that same ought to pass.

The report was accepted, and the question came on the passage of the order. The order was passed, yeas 15, nays 0.

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hurley, Keenan, Kelly, Kinsella, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—15.
Nays—0.

LOAN IN ANTICIPATION OF TAXES.

By direction of President Kelly, the Council took up No. 2 on the calendar, under unfinished business, viz.:

Order for temporary loan of \$40,000,000 in anticipation of taxes.

On January 6, 1947, the said order was read once and passed, yeas 19, nays 0.

The order was given its second reading and passage, yeas 15, nays 0.

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hurley, Keenan, Kelly, Kinsella, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—15.
Nays—0.

President KELLY—Councilor Kinsella?

Coun. KINSELLA—I ask unanimous consent to withdraw my motion made a short while back on the Scheider sidewalk opening in deference to the absence of the chairman and vice-chairman.

President KELLY—Councilor Kinsella asks unanimous consent to withdraw his motion in reference to the Scheider sidewalk opening. Hearing no objection—Councilor Russo?

Coun. RUSSO—A point of information, Mr. President.

President KELLY—Councilor Russo.

Coun. RUSSO—May I be informed by the Chair, if the chairman and vice-chairman are not present, can the next one in line take action?

President KELLY—If the committee has taken action, any member can make the report. Hearing no objection, Councilor Kinsella's request is granted.

ABOLITION OF CERTAIN COMMITTEES.

President KELLY—Councilor Linehan.

Coun. LINEHAN—I now move the Committees for Post-War Planning and Voting Machines be dropped from the committees of the Council.

President KELLY—Councilor Linehan makes a motion that the Committees on Post-War Planning and Voting Machines be dropped from the committees of the Council.

Coun. LINEHAN—I would like to add several other committees but, due to the fact that the chairmen of the committees are not here, I do not take it upon myself to make that motion. I have asked the chairmen of the Committees on Post-War Planning and Voting Machines, and they both agree they had just as soon see the committees dropped, due to the fact that there is no work done by these committees, and also, due to the fact that I am a member of them, I think I have probably the right at least to get up and make the motion that they be done away with. There is absolutely no need for the Post-War Planning, the war is over, and we don't look into the future. We do not need it unless there is a war around the corner and we have post-war planning which we did not have during this war. I hope the Council will go along with me on these two committees being dropped. Next week we can move on the Military Affairs, Public Utilities, and any other committee the Council thinks may be abolished.

President KELLY—The Chair will state it takes 15 votes to abolish a committee. Those in favor will please rise. The motion is carried, and the Committees on Post-War Planning and Voting Machines have been abolished.

President KELLY—Councilor Bayley.

Coun. BAYLEY—I move the Committee on Military Affairs, of which I am a member, be abolished.

President KELLY—Just a minute, councilor. Is the chairman of that committee present in the Council?

Coun. BAYLEY—He is not.

President KELLY—Don't you think out of courtesy to him you might withdraw your motion until he is present?

Coun. BAYLEY—All right, I will.

President KELLY—Councilor Keenan.

Coun. KEENAN—As a member of the Committee on Military Affairs, I make a motion the committee be abolished.

President KELLY—That is the same motion withdrawn by Councilor Bayley, Councilor Keenan. The chairman is not present. Councilor Bayley withdrew his motion.

Coun. BAYLEY—I join with Councilor Keenan that it be abolished.

President KELLY—Councilor Keenan has made the motion that the Committee on Military Affairs be abolished. Talking on the motion, Councilor Muchnick.

Coun. MUCHNICK—I move this motion be laid on the table for one week.

President KELLY—Councilor Muchnick moves this be laid on the table for one week.

The motion was laid on the table for one week.

PARKING ON COMMONWEALTH AVENUE.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—Mr. President, may I ask a question of a chairman of a committee through you?

President KELLY—All right, Councilor Muchnick.

Coun. MUCHNICK—I would like to ask the chairman of the Committee on Parks and Playgrounds when, if ever, he intends to hold a hearing on the order concerning parking on Commonwealth avenue.

President KELLY—Councilor Bayley is chairman of the Parks and Playgrounds Committee. Do you have that information?

Coun. BAYLEY—Is that before our committee, or did it die when the committee died last year?

President KELLY—That is in your committee now, councilor. You can take whatever action you see fit.

Coun. BAYLEY—When the members of the committee get together, we will hold a hearing as soon as we can.

President KELLY—Another question, Councilor Muchnick.

Coun. MUCHNICK—May I ask, when that particular matter comes up, that I be notified?

President KELLY—Councilor Bayley, will you kindly notify Councilor Muchnick? Councilor Linehan.

Coun. LINEHAN—I would like to ask the chairman of the Parks and Playgrounds Committee if he is going to call a meeting to consider the order which I filed several weeks ago relative to putting more money in the budget to help the recreational program for the year 1947, which also includes invitations to the members of the press who write sports in the different papers, plus the members of the Recreational Board. Mr. Chairman, that order was filed several weeks ago, and I don't think he was here at that time. I would like to know when you have a hearing on that.

Coun. BAYLEY—We will have a hearing on both matters together as soon as the members of the committee find it suitable.

CONFIRMATION OF APPOINTMENTS.

President KELLY—The Chair now calls up No. 1 on the calendar.

No. 1 on the calendar, under unfinished business, was as follows:

1. Action on appointments, submitted by the Mayor January 6, 1947, of Edward F. Collins and James Finigan to be Constables, not authorized to serve civil process.

President KELLY—The Chair appoints Councilors Moriarty and Bryan to receive, sort, and count the ballots.

Coun. MUCHNICK—A point of information, Mr. President.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—Have these already been acted upon by the committee?

President KELLY—There were no committees last week. They were laid over under the law for a week.

Coun. MUCHNICK—Wouldn't it be better if these men were interviewed by the committee?

President KELLY—If you so desire, make the motion, councilor. You can't make the motion now, because we are in the process of taking a vote.

Coun. MUCHNICK—Isn't it out of order to vote now? Wasn't there a motion passed last year that there be no votes until they have been referred to the committee?

President KELLY—The Chair will rule it is not out of order on this year's calendar. It was laid over under the law for one week. State your point of order.

Coun. MUCHNICK—If I remember correctly, Mr. President, we voted last year that there be no confirmations until the men had been interviewed by the Committee on Constables and Confirmations.

President KELLY—That is right.

Coun. MUCHNICK—If that is so, then we cannot vote on these until they have been interviewed.

President KELLY—The reason it was laid over under the law for a week was because last week one member of the Council brought out the fact that no committee was in existence. We laid it over for one week under the law.

Coun. MUCHNICK—If that is so, under our rules these men must be interviewed before they are acted upon. We cannot vote upon them until they are interviewed.

President KELLY—There is no rule to that effect, councilor. The tellers will kindly proceed with the balloting.

Coun. CHASE—Mr. President.

President KELLY—Not until the count of the ballots is through, councilor.

Coun. CHASE—Is it in order to talk on this?

President KELLY—Not now while the process of voting is taking place.

Coun. CHASE—The voting had not started when I had the floor.

President KELLY—The tellers are taking the vote.

Coun. CHASE—They had not started collecting the votes until after I took the floor.

President KELLY—You are not in order to talk on this matter. The vote is being taken.

Whole number of ballots cast 16, yeas 13, nays 3, and the appointments were confirmed.

President KELLY—Councilor Chase.

Coun. CHASE—I move, sir, that we reconsider the vote just taken. Talking on the motion, sir.

President KELLY—Councilor Chase moves that we reconsider the vote just taken. Talking on the motion, Councilor Chase.

Coun. CHASE—Mr. President, I take it, sir, that this matter has not been referred to the Committee on Constables and Confirmations. Mr. President, may I remind you we apparently are voting blindly in approving these constables? I think, in view of the fact that I have no knowledge whatever as to the character of these men, as to their ability in performing the duties of constable, it is only proper for me to vote against them, and I think, sir, in view of lack of such knowledge apparently on the part of the councilors here, everyone should vote against them. If these matters are not referred to your proper committees, then, sir, I think you should abolish the committees. The committee apparently was appointed to check on the qualifications of men such as these before they are submitted to your full body for approval. Mr. President, I would like to know, sir, who Mr. Edward F. Collins and Mr. James Finigan are. I would like to know from what districts they come and where his Honor the Mayor proposes to use them. I would like to know, sir, whether or not it is necessary to have these constables on the pay roll of the City of Boston. Many times in the past, sir, the Boston Finance Commission has criticized the fact that so many thousands of dollars annually are spent for constables. I would like to know what their duties are, sir, what the Mayor proposes to do with these men, if they are essential to the proper functioning of our municipal service. To date, sir, nothing has been given to your Council in the way of enlightening us on this matter. We are simply here automatically approving two men whom apparently his Honor the Mayor wants on the public pay rolls, and I don't think, sir, under those conditions we should be approving them. I hope, sir, your Council will refer the matter to the Committee on Constables.

President KELLY—Talking on reconsideration, Councilor Hurley.

Coun. HURLEY—I certainly don't agree with the councilor from Ward 4 (Councilor Chase), Mr. President. This is my eighth year in the Boston City Council, and I think it is the tenth year of the councilor from Ward 4, and I think probably eight years out of the ten that he has served he has had a constable doing the same type of work these men are doing today, and I have not heard him once in the last eight years say that the constables should not be appointed. I have heard it said here time and time again during this year, under this particular administration, no matter what is proposed, it has to be wrong, but anything that happened in the seven previous years was legitimate, legal, and honorable. I can't imagine, Mr. President, why this terrible turn-about should happen under this administration. The man had not sat down in the chair for a month when he assumed this antagonistic attitude. Everything that was proposed, yes, last January, was wrong, but, as I stated before, there was nothing wrong in the seven or eight previous years that I have been in the Council about the appointment of constables not authorized to serve civil process—meaning that they were getting paid by the City of Boston. It takes a long time for someone to understand the way to get around to thinking that something is wrong. It is rarely I get up to criticize the councilor from Ward 4 (Councilor Chase) but I don't know, something has happened this year or in the year 1946 that certainly does not go along with my way of thinking. If there is something brought up from downstairs that is right and honorable and constructive, the councilor should get on his feet and say, "That is all right; that is fairly good; I think this is going to turn out all right," but it seems as though as soon as it hits the Council floor it is no good because Curley sent it up. When Kerrigan was Mayor and when Governor Tobin was Mayor there was no such opposition, and I for one never heard him utter a word against the appointment of constables until last year. I hope, members, you will go along and not vote reconsideration, but let these appointments stand confirmed.

President KELLY—Councilor Cook.

Coun. COOK—Mr. President, in the year I have served here I have learned something about the workings of the City Council, and as a member of your committee I thought it was the function of the committee to do some work and investigate so that they could make a record, so that the Council could act upon it. I am surprised that the Mayor

sent up the names of two constables and that they were not referred to the Committee on Constables.

President KELLY—Councillor Cook, let me say when I laid this over under the law for one week there were no committees existing and I could not refer it to the committee.

Coun. COOK—The explanation explains something, but it is not entirely satisfactory. I do not see why it cannot go to the committee.

President KELLY—Councillor Sullivan, for what purpose?

Coun. SULLIVAN—A point of information from the councillor from Ward 12 (Councillor Cook).

President KELLY—Does Councillor Cook yield?

Coun. COOK—Yes.

President KELLY—Councillor Sullivan.

Coun. SULLIVAN. Mr. Chairman, if you will refer to page 6 of the minutes of the last meeting, the second column, appointments by the Mayor, the Chair referred these two names to the committee, and knowing the committee would not be appointed until today, which would mean these two names would be held up until the following week, I moved at that time these two names be placed on the table, so that they could be acted upon today and so that these two men would not lose two weeks' pay, and that was voted on unanimously, to lay on the table for one week.

President KELLY—Councillor Cook.

Coun. COOK—That is still another explanation, nice, but not satisfactory. I think the committee—and I notice I am still on it—should have a chance to perform its function. Otherwise, I think the Committee on Constables should be abolished along with the other committees.

President KELLY—Councillor Muchnick.

Coun. MUCHNICK—Mr. President, last year we had an unfortunate series of instances involving the appointment of constables which led to a lot of criticism and unfavorable comment and publicity, as the result of which it was either passed in the Body or it was decided upon by the Committee on Constables, I am not sure which, that in the future there would be no confirmations until each person appointed by the Mayor's office had been briefed by the committee, and the report sent back to the Council. It was at that time, if I remember correctly, either the week before or at some time, that because of the fact that there had been no reference of any of these appointments to the committee that I resigned as chairman and as member of that committee, feeling it had absolutely no right to exist if it was not going to do anything. We have established the rule that we will take no action on these appointments until there has been an investigation or an interview by the Committee on Constables and Confirmations. It is too bad to deprive people of a week's work; nobody particularly wants to do that, but that by far is the lesser of the two evils if, in order to do that, we have to deprive the Council and the City of Boston of the right to interview and investigate. There has been absolutely nothing in what I say that should be construed by Councillor Hurley as an attempt to discredit these men or the administration or anybody else. There is no attempt on my part to say anybody is doing the wrong thing, but, if we have rules, we should follow them. I imagine these men are average men, of average honesty and average intelligence, and that they will pass the qualifications set up by the committee, but until we have heard the committee's report we should not do a thing about it.

President KELLY—The Chair will again state that the Council voted unanimously that these two names be laid over for a week, under the law, and put on the calendar.

Coun. MUCHNICK—But the Council can do anything it wants this week.

President KELLY—You are right, councillor. Councillor Kinsella,—not having spoken.

Coun. KINSELLA—Mr. President, I want to ask a point of information, through you, of the clerk.

President KELLY—Councillor Kinsella.

Coun. KINSELLA—Which takes precedence, Mr. President, the rule to put over for a week, or the action of the committee, in view of the fact that the committee is a recent creation? We might say our rule is apparently an old rule, my point being if it goes over for a week it has met the requirements of the rule, at which time the Body can act arbitrarily on it in spite of no action on it.

President KELLY—The Chair will state the law has been complied with when the appointments

are not confirmed until at least seven days after they are submitted. Councillor Kinsella.

Coun. KINSELLA—A further point of information.

President KELLY—Councillor Kinsella.

Coun. KINSELLA—Is that by law or ordinance?

President KELLY—That is by law, councillor.

Coun. KINSELLA—In holding the matter one week before confirmation, then we can at the end of that week, despite committee action or no committee action, act upon it as soon as we have met the provision of a week?

President KELLY—That is right, councillor.

Coun. KINSELLA—One further point of information, Mr. President. I would like to ask the clerk through you whether or not we can by parliamentary procedure reverse the vote that has been balloted?

President KELLY—We can reverse the vote by balloting in the same manner.

Coun. KINSELLA—Only by ballot?

President KELLY—Or by roll call. The Chair will ask for a roll call. Councillor Linehan,—not having spoken.

Coun. LINEHAN—Thank you, Mr. President. I would like to ask you, Mr. President, does anybody know whether or not these two men are being appointed by the City Councillors and also, the second question, how many constables have we now in the city service? I think if we cannot have an answer to these two questions we ought to wait until next week to take final action on these two names.

President KELLY—Well, I understand that the Mayor's appointments make a total of 55 constables on the pay roll. Councillor Bayley,—not having spoken.

Coun. BAYLEY—I think the point of the distinguished councillor (Councillor Linehan) is well taken. Mr. President, when some of us made this vote last week, we did so in the belief that this matter would be referred to the committee. You attempted to refer it to the committee, but there was no such committee.

President KELLY—That is right.

Coun. BAYLEY—Therefore, the matter was laid on the table for one week with my understanding and belief that when that week was up, as soon as the committees came into being, it would be referred to the committee. I see no reason why this has to go through today and that we give up the usual practice we agreed on last year, that this would be referred to the committee. I think this motion should be reconsidered and that it should be sent to the Committee on Constables and Confirmations in accordance with the understanding we had last year.

President KELLY—A member can vote in any way he so desires, councillor. Councillor Sullivan.

Coun. SULLIVAN—Mr. President, the reason for laying this matter on the table last week, as I said before, was that these two men, and I don't know who they are, would not be penalized a week's pay. It was all right for us to go along last year and change the procedure which we have had in previous years in referring all these confirmations to the Committee on Constables. That committee took upon itself, as I understand, to pry into a man's personal life, namely, if that man had a court record. Who are we in this Body here, or in the committee, to ask any man if he has a court record? Do we go up when we are seeking office and advertise our court records, if we have one? Who are we to ask if a man has a court record? Who are we to judge a man, whether it be one of our own appointees or an appointee of the Mayor? If we had the authority on the approval of department heads to go into their background, then it would be a different story, but these here, along with weighers, who come here before this committee, are the only ones this Council approves, and I don't believe,—and I know for one I am not inquiring—that anyone should inquire into a man's background. If any councillor in my seven years' experience had any opposition to an individual coming to this Body for appointment, and it was placed on the floor, then the appointment was held up, but today on these two, and I am saying again I don't know who they are, there is no opposition by any councillor, and I hope the confirmation remains and that reconsideration will not be considered.

Coun. BAYLEY—Mr. President.

President KELLY—One minute, councillor. Councillor Bayley.

Coun. BAYLEY—Mr. President, I disagree thoroughly with the councilor from Ward 9 (Councilor Sullivan). I think the Committee on Constables did a fine job when it did investigate the background of men appointed officials of Boston. I want to know the background of the man, that is the point. I want to know if he has a prison record. I am not going to vote continuation of a man who has been away 25 years in jail. I do not believe he should be appointed a constable. It is our job to see that men with long prison records are not appointed to responsible positions in the city. Our committee has a right to know if they have a court record or a prison record, or what the qualifications for the job may be. We have to draw the line in putting in responsible people to perform the job they are to do, and they have not shown they are fit for such jobs. I am surprised that, being a councilor, he is not interested in the background of the men. I want to know that background, and I want the committee to come in and say, "We recommend this man. He has no court record, he has no prison record; he is a good man." But I am not going to vote blindly.

President KELLY—Councilor Moriarty,—not having spoken.

Coun. MORIARTY—Mr. President, before aspiring for public office, a good many of my elders oftentimes advised me, "Why don't you keep away from the game? You are nothing but an errand boy; you do the bidding of others in picaresque affairs." For the past year I have not only come to realize I am an errand boy, but I think some of us seem to be self-appointed police officers. I oftentimes think some of us have wasted our time in aspiring for public office when we could easily have made application for the Police Department. Investigatory powers are seldom ours. We have sufficient and plenty work to do when we consider appropriations and matters of general civic attention rather than a man's court record. I oftentimes would like to consider the unofficial court record that some of our early Americans had in stealing and plundering to get the wealth and riches they flaunt today as outstanding citizens. Those are unofficial court records. But they will go before the court of God, however, to answer for their thievery. So I think we have good and plenty reasons to consider other greater matters than what a man's background is. If he is on the city streets, he certainly has satisfied the authorities he should be there.

President KELLY—Councilor Bryan.

Coun. BRYAN—Mr. President, as chairman of the Committee on Constables and Confirmations, I think in all fairness to the Council and everyone concerned, that this should go through the regular channels and come back in again next week.

Coun. SULLIVAN—Mr. President.

President KELLY—Councilor Sullivan.

Coun. SULLIVAN—I don't see why we should penalize these two men a week's pay. That is what we are doing. We ourselves would not want to be penalized one day's pay, let alone one week's pay. Answering the gentleman from Ward 5 (Councilor Bayley), you might expect that from the type of people from which he springs in the Back Bay. In the past week we had to take fifty of these constables and to string them along Tremont street. Tremont street on the right-hand side going out is Ward 5 and Ward 4, and on the left-hand side it is Wards 3 and 9; in other words, better known as the other side of the tracks. Fifty of these constables were spread out on Tremont street for the sole purpose of stopping the people from the Back Bay from bringing their rubbish and garbage in to Wards 3 and 9 and depositing this rubbish in our alleyways. The people from which he springs have their money. They gained their money through having a license

President KELLY—Councilor Linehan.

Coun. LINEHAN—Mr. President, I don't think we should go into the background of the members of the Body, whether blue blood, black blood or green blood. I move we rule that out of order.

Coun. SULLIVAN—He is going into the background of these men who do not possess possibly blue blood and as long as he has gone into it, I am justified in answering him. Now, he has brought into this discussion —

President KELLY—Wait a minute. I allowed Councilor Bayley to go into the background, and I am going to allow the councilor to speak.

Coun. LINEHAN—A point of order, Mr. President.

President KELLY—State your point of order.

Coun. LINEHAN—I think it is specifically a point of parliamentary order that you cannot go into the background and personalities of the members of the Body. I do think it is within the City Council's powers to go into the background of employees of the City of Boston before they are appointed, and I wish to have the President rule on that.

Coun. SULLIVAN—Mr. President, before you answer that, I would like to make a statement.

President KELLY—Councilor Sullivan.

Coun. SULLIVAN—I think, Mr. President, before we go into the background of any city employee we ought to go into the background of our own members.

President KELLY—The Chair will state he is going to rule anybody out of order for the rest of the year who indulges in any kind of personalities as to any members of the Council. According to the rules, you cannot indulge in personalities, Councilor Kinsella.

Coun. KINSELLA—A point of information, Mr. President.

President KELLY—Does Councilor Sullivan yield?

Coun. SULLIVAN—Yes.

Coun. KINSELLA—Is the Chair going to make an effort to distinguish between personalities as a result of names and a blanket indictment without the use of names?

President KELLY—The Chair will state it will rule on each case as it arises, councilor. Councilor Sullivan.

Coun. SULLIVAN—In the history of my seven years up here, the only time an appointment was held up was when some individual councilor had a complaint to make of that individual seeking appointment through this Body. I brought an appointment here one time of my own constable. They asked me if the man had a court record and they wanted a history of him. I told the committee they could go to hell. Who the hell were they or I in this Body here to ask any man his background. The name is good enough if it comes up here because it must have originated on the second floor. If any councilor has any opposition, let him take the floor and oppose the appointment. I don't think we should pin badges on ourselves because it has been proven we are not an investigating body and we have no authority to do so, whether it be the full Body or a committee. I don't see why any man should divulge whether he has a court record or not. Apparently some of those from one section of the city think once you have a court record you are no good. As I said before, Mr. President, if we are going to investigate, let us start with our own members first and see how many stones are thrown. I am opposed to those seeking to look into a man's background because the man might be better than any one of the twenty-two of us up here, and who are we to ask him if he has a court record? I don't believe it should be in the power of the committee, and I know if I have a man for an appointment coming through here, they will get no such information from him or from me. I will fight the appointment out here on the floor. I hope, gentlemen, these two names Finigan and Collins and, as I told you before, I don't know who they are, but I did take the floor last week so these two men would not sacrifice a week's pay, and I asked under the law they be laid over for one week, and I hope they will stay confirmed.

President KELLY—Talking on reconsideration, Councilor Hannon,—not having spoken.

Coun. HANNON—It is too bad, Mr. President, that we cannot have an honest difference of opinion without indulging in personalities. I certainly don't care offhand who the gentlemen are. However, I do care as a member of this Body how this Body functions and how the members of this Body perform their duties. We are elected to do a certain job, and regardless of the fact that sometimes this job might become distasteful and sometimes on this job we might have to exercise a certain amount of courage, at the same time we have a job to do, and if we are not going to do that job they might as well abolish the committees of the whole Body. I don't care who Finigan is or who Collins is. The fact that they have this or that pertaining to their names or characters does

not mean anything. They come up here to us as total strangers, but we here on this Council have certain functions to perform, and one of the functions is to have the Committee on Constables and Confirmations which looks over the names referred to us and either recommends that they be approved or recommends that they be not approved. I hope, because I get up here to fight for the proper performance of the functions of the City Councilors, that I am not going to be accused of any disfavor to either Collins or Finigan. I don't know who they are, and I don't care who they are. I don't know what their characters are but, as far as I am concerned, they stand here now just as honest and just as decent as I am or any other member here. We have a Committee on Constables. What have we the committee for? It is not our fault that these names were submitted at the particular time when no committee existed. Why weren't the names sent up a week before? Why weren't they sent up two weeks before? Why aren't they held up until next week? We are not depriving anybody of a week's pay. I certainly am not, but I am here as a member of the Council, and the rules of the Council are that any appointment submitted to us over which we have the power of confirmation shall be referred to the Committee on Constables and Confirmations. We have that committee and that committee has certain rights, and I don't think that I or any other member of the Council should deprive a committee of the rights which we have given it. What has a court record got to do with it? Nobody here, I dare say, knows whether or not these men have court records, and it gets under your skin when you see how a certain gentleman can misinterpret an opinion or argument, and throw a smoke screen about a court record. What do we care about that? It is up to the committee to determine whether or not these men are properly qualified to be constables of the City of Boston. I have never seen and have nothing against Collins or Finigan, and it would be the last thing in the world I would do to deprive a man of a week's pay. We don't know whether they will get the week's pay because somebody else has to approve it after we get through with it. It might be held up later on. I had a motion downstairs about three weeks before it was confirmed. What was the matter with that? How do we know these names are going to be approved immediately simply because we pass them? I say, gentlemen, it is not a question of supporting them here and now. It is a question of supporting yourself. What are we, men or puppets? If we have any courage, if we have any intelligence, are we going to function as City Councilors or are we merely going to sit here and say "Yes" and have someone say, through the smoke screen, "You vote against this one or that one." If we do, we are not doing our job as City Councilors. Our job in the City Council is to see these matters go to the committee. That committee exists, and the chairman of that committee has stated he wants these matters referred to him. Our first duty is to ourselves as councilors representing the people who sent us here. Our first job is to do our own job well and leave personalities and characteristics out of it. The idea of saying because you are doing this or that you are trying to impugn a man's character. There is no such thing, and I think it is cowardly of any councilor to get up here and holler merely because a man has guts enough or courage enough to follow his own convictions. Some councilors try to take advantage and say, "You are voting against the Mayor or the character represented by the name on the paper here." None of us know these men, but each one of us know the functions of the Boston City Council. Our function is to proceed in an orderly fashion. That orderly fashion demands that these names go to the committee for approval. I am voting along with the Council rules, and I am voting with the chairman of the Committee on Constables and Confirmations. I am voting for reconsideration so this matter may be referred to the proper committee.

President KELLY—Councilor Keenan,—not having spoken.

Coun. KEENAN—I would like a point of information, Mr. President.

President KELLY—What is your point of information?

Coun. KEENAN—May I have the addresses of Finigan and Collins?

President KELLY—The clerk will read the addresses.

The CLERK—Edward F. Collins, 330 Hyde Park avenue, James Finigan, 10 Burr street, Jamaica Plain.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Mr. President, I would like to ask through the Chair a question of the Committee on Constables and Confirmations.

President KELLY—Councilor Bryan is the chairman.

Coun. KINSELLA—Would you be good enough to tell the Body what questions you ask of these candidates who come before you and how closely you scrutinize them?

Coun. BRYAN—Councilor Kinsella, in answering your question, we call each applicant in and check with the residence, what work he has done before, and sometimes we do ask if they have a court record, and any information we think would be helpful in the position they are going to take.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—One more question I would like to ask the chairman. I can't remember myself any rejections they have ever recommended, but does the Chair remember rejecting anybody and for what reason during the past year, 1946?

President KELLY—Councilor Bryan.

Coun. BRYAN—Mr. President, there were no rejections.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Addressing another question. Even in the case of those with police records?

Coun. BRYAN—We did not have anyone with police records last year, Mr. President.

Coun. KINSELLA—I don't want to be tied up in this, but it seems to me it might be all right to impose certain obligations on people who are at our mercy, provided our own conduct is above reproach. Mr. President, I can see some merit in the suggestion of Councilor Bayley. I can see a great deal more merit in exhibiting a little Christian charity for people who have hit an economic rock bottom and who have to come almost on their hands and knees begging for patronage work at the hands of the Mayor or some councilor who might see fit to sponsor them. I challenge any member of this Council or any person now present in this Chamber to go out on the streets and pick at random anyone of whom it can be said that he, the councilor, is better than that person; or, taking the other tack, that the other person is better than himself, in both instances in the moral sense. I don't want to go too far, because I have a great regard for the attention and courtesy that is paid me when I speak here, because all the members know I am speaking my opinion, and I want to extend that courtesy and regard to others regardless of the diametrically opposite views of that person. I will go straight to the hilt in saying any requirement that a person coming in here be as pure as driven snow should provide that those who make the rule are without sin and without guile. In your secret heart, Mr. President, and I address the membership through you, examine yourself and ask if you ever had your just deserts at any time in your life for anything you ever did which broke some rule of God or man, and ask yourself how you would like to have it follow you down the long corridor of time, so that every move you make toward ultimate responsible employment is going to be haunted by the hypocritical, sanctimonious, psalm-singing attitude of someone who probably is not fit to polish your shoes. Make your rule apply to yourself first, and see that you live up to the rule. We have had evidences in this state not too long ago of moral turpitude of people who shielded that turpitude until they were elected—mind you, not appointed, elected—into exalted positions, and shrewdly enough and wisely enough they did not show the other sides of their faces until they came into their positions, from which they began to break into malfeasance, nonfeasance, and misfeasance in office—men with far more prominence than any constable of the City of Boston will attain, men who came into the service of the people by their background, social, financial, economic, and political. The average constable wants the price of his week's expenses; in brief, wants a job. Why do we have to torture these people with references to police records that represent not a great amount of iniquity but represent the stupidity of having been caught? The State House today is hung with portraits of people who inherited money that was made in the run and the

slave trade, and when you tell them that, mister, you smile. Now, we have two obscure little people out of three-quarters of a million, neither one of whom is known to me, but neither one of whom would I shun, and we will cancel out an opportunity to put them to work at once because there may be buried away in the oblivion of the past some little dereliction of the type of which we ourselves are guilty every day. What rotten, stinking hypocrisy! "Let him who is without sin cast the first stone," and no man did. What a mistake was made that we did not come from the house on the hill, but had to be content to be born in the house in the shallows, and a smug, self-satisfied smile can hover around the lips of a man who says, if not publicly, at least to himself, "I will take their support when I need it, but they have nothing to hope for from me but intolerance when they are at my mercy." We have had a lot of needless talk today, Mr. President, but what I am vitally concerned in is whether or not these two gentlemen here can perform their duties, and since there are no complexities to the performance of the position of constable, I take it for granted that they can perform their duties, and if they are fresh out of a penal institution, either one or both, if they are looking for a friendly slap on the back, not the kind that flops you down but the kind that will help you to stay on your feet and roll ahead, then they can look to me. I don't care where they are from, and I don't care what they have done, and I suggest that when we are examining into moral behavior, present or past, of any little run-of-the-mill citizen who wants to be a constable at \$1,800 a year, that we be truly adult people about our actions and take everybody in executive positions and in the city service over the jumps whether we have authority over them or not. Let us regale the gallery and the press with something wrong in the life of the department heads, but let us not boot the little guy because he can't come in here and say a word of defence for himself. And let us not say a word about blanket indictments about our kind; let us say nothing about that. Let us take refuge in the fact that somebody is injecting personalities and that somebody has done a good job of personalities himself without the mention of any given names. I feel that everything I cared to say I have said, and I don't want to repeat myself, but when I begin to examine into your conduct or your conduct or yours, or even yours, Mr. President, I would like to hold myself up first as a model of virtue without, as I say, sin or guile. Who is perfect to such a point that he can say, "You might well pattern yourself after me"? Not I. Perhaps I will achieve that happy condition, but not in this life. It won't be in this life, but I won't go into the next life having to try to square myself because I did not practise the virtue of charity when I had the chance. Once again, and for the record, Mr. Harnden, "Let him who is without sin cast the first stone."

President KELLY—Councillor Russo,—not having spoken.

Coun. RUSSO—Mr. President, it is really a sad state of affairs that we have to sit here and listen to such talk that to my mind should not have been brought into this Council. I don't know who these two men are. The picture that has been painted before us—although they have stated they don't know who they are—the picture that comes to mind is that these two individuals are two bad characters. I voted for the confirmation of these two men for the simple reason that the men who represent the districts which these two men come from did not utter a word, either against or for them, taking it for granted that they must have their approval for confirmation. I am in accord that all matters which come in before this Body on which we have a standing committee should be referred to that committee. However, in this particular instance, when they were submitted to us there was no such committee. I would like to ask through you, Mr. President, a point of information of the gentlemen of the districts from which these two men come. Do they know the men and, as far as that knowledge is concerned, the characters of the individuals?

President KELLY—Councillor McCormack.

Coun. McCORMACK—These two gentlemen live in my ward. I don't know either one of them, and I again assure you I had nothing to do with the appointments.

President KELLY—Councillor Russo.

Coun. RUSSO—Mr. President, hearing that the councillor of the ward from which these two men come has no information so far as the character of

these two individuals is concerned, I suppose, then, in fairness to ourselves and in fairness to them, we ought to send these names into the Committee on Constables and Confirmations. I have no intention and never had any intention of depriving any individual, regardless of what his background has been in the past, of an appointment. However, I am concerned to the point that I will not cast my vote for any individual who has a record or who has been recently discharged from a state institution, say, for example, for stealing. I certainly will not approve him to any position of handling money as soon as he comes out. There are places for individuals according to their backgrounds and according to their qualifications. I don't intend just because a person has a court record or just because he has been recently released from a jail that he should be barred from earning his livelihood. We are called upon to function and approve these two names. I was in hopes that the councillor from the district which these two men come from could give me the information that they were men whom he knew and men of good character and that they were able to perform the duties of constable. Hearing none of that information, I am forced to vote that these two names be sent to the committee.

President KELLY—Councillor Hurley.

Coun. HURLEY—Mr. President, I agree with about everything the councillor from Ward 2 (Councillor Kinsella) just said about people without sin should cast the first stone, and I have heard the different councillors express their opinions, and they all sounded pretty good. I heard the learned and distinguished councillor from Ward 5 (Councillor Bayley) tell about the qualifications that a man should have to be constable of Boston, and I just had a talk with the councillor from Ward 5 and surprised him with a lot of information of the kind that made him shake and shiver as he heard it. But I am no cop. I am not going to divulge the information I gave the councillor from Ward 5, but the information proves conclusively that he is not consistent in his argument before this Body. Now, if the councillor from Ward 5 wishes, he has my approval to tell the Chair the conversation I had with him.

President KELLY—Councillor Muehnick.

Coun. MUCHNICK—Mr. President, I agree fully with the maxim that he who is without sin should cast the first stone, but that has absolutely nothing to do with the issue before us now, and I think we ought to stick to the issues. There was nothing brought up here about criminal records or police records, until it was injected into the discussion by those who did not want the matter sent to the Committee on Constables and Confirmations.

President KELLY—Councillor Kinsella, for what purpose?

Coun. KINSELLA—Will Councillor Muehnick yield for a point of information?

President KELLY—Will you yield for a point of information, Councillor Muehnick?

Coun. MUCHNICK—I have no choice for a point of information. I must yield. But I yield anyway.

Coun. KINSELLA—Is it not true a year ago the matter of police records was referred to in this Chamber? One year ago, not today, a year ago, in the presence of Councillor Muehnick?

Coun. MUCHNICK—There is no question about that, but if I remember what I stated correctly, I said today the matter of records was just injected into today's discussion by those who want the confirmations approved today.

President KELLY—Councillor Kinsella.

Coun. KINSELLA—A point of information, Mr. President.

President KELLY—Do you yield for a point of information, Councillor Muehnick?

Coun. MUCHNICK—Yes.

President KELLY—Councillor Kinsella.

Coun. KINSELLA—Let the Chair enlighten the councillor and myself on the point of the injection today of the reference to police records if that reference was made by the gentleman from Ward 5.

President KELLY—One minute, councillor.

Coun. MUCHNICK—Mr. President.

President KELLY—One minute, councillor. The Chair is not certain who did bring it out without looking at the record.

Coun. MUCHNICK—If it will make anybody happier, I will assume it was brought out by those who oppose the appointment. It does not make one bit of difference one way or the other. The

civil service examinations which are conducted by the Federal government or by the state government also have on their applications, in most instances, not only a question pertaining to court convictions but also to cases involving in some instances even civil cases—but at least in criminal situations whether the applicant was acquitted or convicted. It is nothing particularly new to ask a prospective employee, whether it be in the Federal government or the state government or the city government, or even in private industry, if he has been in trouble with the law, but that is not the purpose or the sole purpose, so far as I am concerned, of the Committee on Constables and Confirmations. This job entails some work, and some work is of a specific and special nature. It seems to me the committee ought to inquire into the man's abilities to do that job. There has been a lot of fuss made here this afternoon about giving two poor men a job who have reached the dregs to the point where they have to come to us and ask for alms. That is not the situation at all, and even if it were the situation we, as members of the Council, have a much greater duty to the 800,000 inhabitants of Boston than we have in giving an extra week's pay to some man who either wants or needs the specific job. I think it ought to be mentioned in passing, regardless of this discussion, there is no claim on the part of any one of the Council, at least so I think, that either of these men is not a fit person to hold down this job; it is simply that many of us on the Council want the corroboration of their conviction, if such corroboration can be obtained through the committee.

President KELLY—Councilor Cook.

Coun. COOK—Mr. President, I think it has been discussed at length, but for the committee's sake and for the benefit of all here I would like to point out the committee does not sit as a Bible class. There are certain specific and pertinent matters we like to know about appointees to city jobs. We like to know where they live. We like to know something about their background, to see whether they can fill the job. We like to know whether they are veterans. I am a little bit tired of hearing these speeches about casting the first stone if you are without sin. That is a very small part of the committee's job. Sometimes I think when these speeches are given we ought to have a symphony orchestra playing "Hearts and Flowers." Let us decide if the committee is going to function, and if the Council thinks the two men to be investigated are greater than the committee, if it does not go to the committee, abolish the committee. I certainly don't want to serve on it if it does not go to the committee.

Coun. SULLIVAN—Mr. President.

President KELLY—Councilor Sullivan.

Coun. SULLIVAN—There was no discussion brought into this discussion to abolish the committee, just the question of approving these two appointments which we have already done today. Also, one week ago there was a motion made by myself to lay this matter on the table for one week, which you all know is required under the law. Now, Mr. President, apparently we have to be lawyers to know anything. You are not smart unless you are a lawyer. Apparently there is some truth in that this afternoon because they blow hot one day and cold the next; if things do not go along just right to suit them, then you are a puppet of the Mayor or you are singing the Mayor's praises. Thank God, in my six years up here, or seven years, I have not been a spokesman for any one of the mayors. I don't intend to be, and there is not one up here who can point a finger and say I was a puppet of the Mayor or a spokesman for the Mayor. I wonder if some of the speakers this afternoon can say the same thing, Mr. President. They get up with nice flowery speeches, and certain councilors want to put others on the spot. Nobody was put on the spot until the councilor from Ward 5 took to his feet. You had voted on this, you had confirmed these two men until he and the councilor from Ward 4 (Councilor Chase) took the floor. I interjected which I had a right to do, and I will continue to do so when I think I am right. Who are we to ask for a man's record? The gentleman from Ward 5 injected two men last year into the discussion. Nobody was talking about a man last year. When the councilor from Ward 5 was doing that, he was hitting below the belt, and you know it. I think if a little checking was done, you would find very few of the councilors without a court record, and especially, Mr. Presi-

dent, those that are hollering from the Back Bay. All I got up on the floor for this afternoon was because I asked that this matter be laid on the table for one week, and I think I would be lying down on the job if I let it go back to the committee without a fight. This is not taking anything away from the committee. If any individual councilor has a complaint about either one or both of these gentlemen, let him take the floor and say so, and we will lay it over on the table for a week, but no one has said that. They are talking about taking it away from the committee. The committee chairman has admitted that he has asked these men for court records and none of them had any last year, and even if they did, what could he do about it? I told him what they could do when they asked me for mine. So I hope reconsideration will not go through. I will move now, Mr. President, that reconsideration be laid on the table.

President KELLY—Councilor Sullivan asks that reconsideration be laid on the table. There is no debate.

Coun. LINEHAN—A point of parliamentary inquiry, Mr. President.

President KELLY—There is no point of parliamentary inquiry. The question is on laying on the table. Those in favor say "aye." It is not a vote. Councilor Hurley doubts the vote, so the clerk will call the roll.

The clerk called the roll, and the motion to lay on the table was defeated, yeas 5, nays 11, viz.:

Yeas—Councilors Fish, Hurley, Kelly, Moriarty, Sullivan—5.

Nays—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hannon, Keenan, Kinsella, Linehan, Muchnick, Russo—11.

President KELLY—The question now comes on reconsideration. Councilor Linehan, have you spoken?

Coun. LINEHAN—No, I have not.

President KELLY—Councilor Linehan.

Coun. LINEHAN—I asked a couple of questions.

President KELLY—State your questions.

Coun. LINEHAN—I say that I asked them some time back. I asked you some questions through the clerk.

President KELLY—Did you receive the answers?

Coun. LINEHAN—I believe I did. I have the floor?

President KELLY—Councilor Linehan is recognized.

Coun. LINEHAN—Mr. President, it seems to me the members of the Council certainly should put this matter over into the hands of the committee if for no other reason than because the chairman of the committee, the gentleman from West Roxbury, believes it should go before his committee. I might say last year, if I remember correctly, some of us all year long had occasion to take the floor and fight on many occasions to put different orders into different committees where they belonged. On many occasions, and I think almost every occasion, the so-called minority of the Council lost. Here we have 1947 ahead of us, and I hoped that process would cease, that it would not start over again, but here we are back with the same old policy of, you might say, side-tracking the committees. That, I think, is the first important reason why we should have reconsideration and put it into the hands of the proper committee, and I say if the committee comes back with the report these two men are qualified to fill the job, and after they have made an intensive search of the record, they feel them candidates for the job, I for one have every respect for the committee and will go along with the members of the committee. Nobody so far has said anything against Mr. Collins or Mr. Finigan, and I don't see why any councilor should take issue with either one. It is a question of principle. Lo and behold, one gentleman here last year fought to have measures put in their respective committees and today he is fighting not to have this particular one go into committee. I come from South Boston and I number many people among my friends who have been wrong on more than one occasion with society. I have found people where, you might say, they have served their time and have come out good members of the community and who since then are working in honest employment and doing a good job, and I dare say men such as they are could be put on the job of constable and do a good job for the city. I feel as though that can be done right in the City

Council if we vote for men who might have had a record some years back. I certainly don't think we would be doing wrong to give him a further chance to make good in society. I don't think anybody here is putting a stigma on any of these men or any other constable appointed. I don't feel as though, when I get up to take issue, not you might say with an act of a member of the Council but on a principle, the President of the Council or a member, on adopting a policy of certain items without giving them to the proper committees; I don't think I should be chastised because we say they should go to the committee. If they don't, let us abolish all the committees. The other thing to be considered—I can well remember the first of last year we were told, and we read in the newspapers and were also told by his Honor the Mayor, that we did not need any more than 20 or 25 constables. I took issue at that time because I thought we needed more. Now I am informed by the President of the Council at the present time we have 55 constables. I would like to know how that corresponds with six months ago. Is it going up or is it going down? Last year I can also remember when I asked the department heads "How many employees do you have in the city service?", we could not get the answer because it was not in our jurisdiction. Before these things get without our jurisdiction, and this is within our jurisdiction, it seems to me we can ask, "How many constables do you have working for the city?" Last year, each and every councilor, if I remember correctly, lost one of his two constables. We sacrificed for the benefit of the taxpayers. We sacrificed patronage. Frankly, that is the only patronage I received all year. In a way I am kind of glad of it because I think it is a good example that we are not clamoring for more jobs in the City Council. I don't think it gives the taxpayer a chance to say the City Council is building up a pay roll for themselves. If that is the way we feel about it, we should not let his Honor the Mayor build up the pay roll of the City of Boston, and if that is what is being done in the case of the constables, I think we ought to call a halt because he is merely putting these men back whom he knocked off, appointed for our so-called benefit, personal constables, and when I say personal, they were approved by the councilor and approved by the Mayor after we recommended their names. I hope during this year that we can have good healthy debate without councilors getting personally mad at each other. I can truthfully say that I have fought as hard as anybody in this Council for what I thought was right, and not on any one occasion did I cast aspersions on any member of this Council. I don't think I impugned the character or motives of any councilor in this Body, and I hope to keep that attitude during 1947, and that is the way all councilors should act for the benefit of all of us, because if we keep carrying on, attacking each other along personal lines, you are going to have Plan E in 1950, and I predict before 1947 is out you might have a different form of government unless the City Councilors get up here and act as a business unit looking out for the interest of the taxpayers of Boston and not building up the pay roll, you might say, with a number of employees, for the gentleman downstairs or anybody else. If the councilors are stating the truth, they are not getting any patronage downstairs, and without watching we will build it up for his Honor the Mayor downstairs. That is the question before you, I think. I say this: If these gentlemen, Mr. Collins and Mr. Finigan, are recommended by the committee, I will go along and vote for the appointment of Collins and Finigan. I am trusting our committee will do a good job with the gentleman from West Roxbury as chairman, because I think he is conscientious and has been conscientious in every good for the City Council, and I sincerely hope I can be as conscientious and as sincere. I hope we give his committee a chance to act on every matter that comes up from downstairs in the future, for the year 1947, so that we can say this Body is improving and not deteriorating.

President KELLY—This Chair will make a statement. If you will turn to page 6 of last week's Record, where it says "Appointments by the Mayor," you will notice that I as President referred the order to the Committee on Constables and Confirmations. Councilor Sullivan asked for the floor and asked, "Is the committee standing?" I answered, "The committee stands, but no members have been appointed. What do you

have in mind?" Councilor Sullivan then said, "If we are not going to appoint them today, it will be delayed, and I move you take it back from the committee and lay it on the table."

President KELLY—Councilor Sullivan makes a motion that this matter lie on the table for a week, and be carried on the calendar at the next meeting.

Coun. RUSO—I wonder if I am in order. Realizing that you have not appointed new committees, could the old committees stand temporarily until you select such committees or appoint such committees?

President KELLY—I am sorry, councilor, the old committees went out of existence. All those in favor say 'aye,' those opposed 'no.' It is a vote and so ordered.

It was unanimously agreed that the matter be laid on the table to appear on the next Monday's calendar. That is how the appointments appeared on the calendar today. The President referred them to the committee, but it was voted unanimously that the matter be laid on the table. That is how it appears on today's calendar.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—Is there anything wrong, now they are on today's calendar, in sending it to the committee?

President KELLY—I am explaining, in deference to the Chair, because of the statements made by the gentleman on the floor that committees are not being recognized. The two names were sent to the committee last week according to law, and on the motion of Councilor Sullivan they were taken from the committee and laid over for one week and the Council voted unanimously.

Coun. MUCHNICK—I am sure the majority, if not the full membership of this Body, has no fault to find with your action of last week.

President KELLY—I am answering to protect myself. Councilor Chase.

Coun. CHASE—Speaking on my motion, Mr. President. As a member of your Body for the past ten years, I want to state right here and now I have never seen a perfectly legitimate matter subjected to such ridiculous arguments. There were many personalities cast today, Mr. President, by the opponents of this order by many speakers with flowery language casting reflections on several members of your Body.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—Mr. President, a point of order.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—Don't the rules limit a speaker to ten minutes only, one speech?

President KELLY—The limit of ten minutes, but not only one speech. He can take ten minutes as long as he has not had them. He does not have to take it all at one time.

Coun. MUCHNICK—I think you should take judicial notice that the councilor from Ward 4 has spoken before and exhausted his debate of ten minutes already.

President KELLY—I disagree with you. He went on for about six minutes, and he has about four more. Councilor Chase, we will watch you.

Coun. CHASE—Mr. President, I enjoy the opportunity sometimes to see the Democratic members of this Council in the same position your two Republican members are in. Mr. President, it is ordinarily —

Coun. MADDEN—Which two Republicans is he talking about?

President KELLY—Councilor Chase.

Coun. CHASE—It is easy for a man to get up and inject personalities into a debate. It is very easy to criticize and ridicule one's background and his family background. I for one, sir, —

President KELLY—Councilor Muchnick, — for what purpose?

Coun. MUCHNICK—A point of order.

President KELLY—State your point of order.

Coun. MUCHNICK—I think the motion is to reconsider the vote and not to discuss family backgrounds.

President KELLY—That is right, your point of order is well taken. Will you kindly talk on the reconsideration, Councilor Chase?

Coun. CHASE—There has been considerable discussion about Back Bay blue bloods, court records, skeletons in closets, innuendoes of all sorts went across the floor, and I assume, sir, at least the courtesy will be extended to one who, apparently, has been the subject of those

innuendoes. I would like today to make clear once and for all that I am not a blue blood.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—The color of Councilor Chase's blood is not an issue.

President KELLY—He has about two minutes more to talk. He may lead up to the reconsideration in the last minute.

Coun. MUCHNICK—If he wants to use his time in a bloody discussion.

President KELLY—He has about two minutes to go. Councilor Chase, continue.

Coun. CHASE—Mr. President, I would like to make a speech undisturbed. I take issue when you say I have two minutes more.

President KELLY—You have only two minutes left.

Coun. CHASE—Mr. President, before I go on, I have been the subject of criticism, and I believe you at least will give me the opportunity to answer the one-sided criticism which the members of your Body —

President KELLY—Wait a minute, Councilor Chase. I am here to uphold the rules of the members of the City Council. You made the rules, you were a member of the Rules Committee last year, and you said one member could speak no more than ten minutes on reconsideration, and you have spoken six minutes and you have just now spoken two minutes and fifteen seconds. I am helping you to live up to the rules which you yourself made.

Coun. CHASE—I take issue with you that I have talked six minutes on my first speech.

President KELLY—That is right.

Coun. CHASE—I refer you to the minutes of the meeting.

President KELLY—Continue, Councilor Chase.

Coun. CHASE—Mr. President, before I try to make my speech, I would like to guide myself.

President KELLY—I am guiding myself by the watch, councilor. I have to be the judge.

Coun. CHASE—Mr. President, I would like to refer you to the minutes of the first speech I made.

President KELLY—Councilor Chase, you continue. You have one minute and thirty seconds. I am going to help you live up to the rules you made last year, and I will see you live up to them, Councilor Chase.

Coun. CHASE—Mr. President, I was not prepared to make a speech, but I think I can do a pretty good job in a minute and a half. Why should this motion pass? This motion should pass because the citizens of Boston do not expect the City Council to be puppets of the Mayor. We have on too many occasions, sir, been following blindly the Mayor and this is a case, sir, where we should exert ourselves and vote as good, honest councilors should vote. I warn you, sir, in the event his Honor the Mayor goes to jail, we will not rule the City of Boston, nor will you. We will have a commission form of government, because you will have —

President KELLY—You are out of order, Councilor Chase. The question is on reconsideration. For what purpose does the gentleman rise, Councilor Bayley?

Coun. BAYLEY—On reconsideration.

President KELLY—One minute. I think I checked your time.

Coun. BAYLEY—I have used up nine and a half minutes, I suppose?

President KELLY—The councilor will be in order, but you let the Chair decide how many minutes you have.

Coun. BAYLEY—I want the decision to be fair.

President KELLY—I will be fair.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Bayley, you talked three minutes. You have seven minutes to go. For what purpose does the gentleman rise, Councilor Muchnick?

Coun. MUCHNICK—It seems to me from what I remember of his speech that you probably need a new watch.

President KELLY—That is right. I will probably before they get through.

Coun. MUCHNICK—I think he went seven minutes.

President KELLY—No, Councilor Bayley talks very fast. Councilor Bayley.

Coun. BAYLEY—Thank you, Mr. President. That is very fair.

President KELLY—Thank you.

Coun. BAYLEY—Mr. President, I want to clear up what I had to say. I believe we have a right

as members of the City Council to refer such a matter as this to the appropriate committee to investigate whether we feel the men are the men qualified for the office they seek to hold. It is unfortunate any record was brought up. I did not mean to do so, Mr. President, with any motive in mind beyond the idea that the members of the committee should decide if the man is qualified to be constable of the City of Boston. If they say he is, then we should vote him in. If they say he is not, then we should vote that he is not. The qualifications are a wide range of matter. I say to you, gentlemen, we are going to uphold the rules of the Council; we are going to do what is right. If we put these two men through—and I never heard of Finigan or Collins until I read their names on the agenda today—if we are going to put men through like this without at least a cursory examination, and I think the committee will give more than a cursory examination, then we are not doing ourselves any good or the City Council any good, Mr. President, and I am sure we are not holding ourselves up to the fine esteem of the public. We are being watched quite closely by the citizens to see what we do. If we take up time in endless debate—I am almost through—if we are going to jam through appointments without investigation, then I agree with the councilor from Ward 4 (Councilor Chase) that the commission form of government is on the way, and I hope it comes quickly.

President KELLY—Councilor McCormack.

Coun. McCORMACK—Councilor Russo asked me a question some minutes ago, and I said I did not know either of these gentlemen. I just talked with Representative Connelly, and I find out now I do know Mr. Finigan. He is about sixty years of age and for some years has been running a garage on Summer street —

Coun. RUSSO—I would like to have a little quiet here.

Coun. McCORMACK— for the past 20 years, and his son was killed in this war and was buried not long ago. Mr. Collins I don't know.

President KELLY—The question comes on reconsideration. The clerk will call the roll.

The clerk called the roll, and reconsideration was carried, yeas 12, nays 5;

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hannon, Keenan, Lihan, Madden, Moriarty, Muchnick, Russo—12.

Nays—Councilors Fish, Hurley, Kelly, McCormack, Sullivan—5.

President KELLY—What is the pleasure of the Body now?

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—I move this matter be sent to the Committee on Constables and Confirmations.

President KELLY—Councilor Muchnick moves this matter be sent to the Committee on Constables and Confirmations. All those in favor, say "aye," those opposed "no," and the motion is carried. There was another matter coming in today for constables which was laid over for one week. If there is no objection, the Chair will also refer that matter to the Committee on Constables and Confirmations. There was another matter here laid over under the law for one week, two appointments to the Housing Authority. If there is no objection, the Chair will refer them to the Committee on Constables and Confirmations.

EXECUTIVE COMMITTEE REPORTS.

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

Report on petition of Evelyn Sullivan (referred October 14, 1946) to be paid annuity on account of death of her husband, Joseph R. Sullivan, late member of the Fire Department—recommending passage of accompanying order, viz.:

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws, an annuity of fifteen hundred and twenty dollars be allowed and paid to Evelyn Sullivan, widow of Joseph R. Sullivan, a member of the Fire Department who died on September 9, 1946, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Evelyn Sullivan, so long as she remains unmarried—\$1,000;

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—\$260 per annum:

Robert J. Sullivan, born March 9, 1942, Edward Sullivan, born November 20, 1945; and the payments to date from September 9, 1946, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report on petition of Henrietta W. Ryan (referred September 23, 1946) to be paid annuity on account of death of her husband, Arthur F. Ryan, late member of the Fire Department—recommending passage of accompanying order, viz.:

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws, an annuity of twelve hundred and sixty dollars be allowed and paid to Henrietta W. Ryan, widow of Arthur F. Ryan, a member of the Fire Department who died on July 22, 1946, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Henrietta W. Ryan, so long as she remains unmarried—\$1,000 per annum;

For the following-named child during such time as she is under the age of eighteen or over said age and physically or mentally incapacitated from earning—\$260 per annum:

Marilyn P. Ryan, born June 8, 1930; the payments to date from July 22, 1946, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

President KELLY—The question is on the passage of the order.

Coun. RUSSO—Mr. President, I would like to find out if that is the Executive Committee report.

President KELLY—Yes, it is.

Coun. RUSSO—Was that discussed today?

President KELLY—It is approved by the Retirement Board, counselor.

The reports were accepted, and the orders were severally passed.

POLICE BADGES FOR COUNCIL MEMBERS.

Coun. SULLIVAN offered the following:
Ordered, That the City Messenger be requested to confer with the Police Commissioner to obtain from him twenty-two police badges for the members of the Boston City Council.

Coun. COOK—Is that going to be referred to the committee?

President KELLY—I intend to, yes, to refer it to the Committee on Rules.

Coun. HANNON—What kind of badges are those?

President KELLY—Police badges, counselor.

The order was referred to the Committee on Rules.

REMOVAL OF ICE AND SNOW.

Coun. COOK and SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be ordered by his Honor the Mayor to remove all ice and snow still existing in the streets and crosswalks of the City of Boston.

Coun. COOK—Mr. President, I think I speak on behalf of all members of the Council, not in the spirit of criticizing something not done right, but in the spirit of getting something done right away. As far as I am concerned, and I think I am backed up by everybody from every district, the City of Boston could be used by the Boston Bruins for ice skating and practice—they need it, but the citizens don't need it. We have at least

from one to six inches of ice and snow still existing in all our streets. This calls not for a request, but for an order that the City of Boston remove all the ice and snow that still exists on the streets and on the crosswalks throughout the whole city. There have been accidents and complaints, and the Fire Department has been held up in going to fires because of skidding. Something should be done right away, and the only thing I know of is by directing an order of the Mayor to the Public Works Commissioner to get the Mayor to the Public Works Commissioner to get the Mayor to get the streets immediately.

President KELLY—Counselor Keenan, talking on the order.

Coun. KEENAN—I want to commend Counselor Cook's order. I intended to put in a similar order today. I think the fault lies with the persons in charge of plowing the streets. I know up in my ward it is a disgrace on every street, not only the main thoroughfares but the side streets. I intended today to introduce an order to hold up the payment of the snow contractors plowing the streets. They have been going around with the plow up about a foot instead of having the ice and snow removed. The fault lies with those responsible for plowing the streets. I want to congratulate the counselor on his order.

President KELLY—Counselor Russo, talking on the order.

Coun. RUSSO—I heartily agree with the order because I put in a similar order last week asking that the streets in my particular district be cleared of ice and snow. However, I would like to recommend also that the Police Department see to it that notifications are given to the property owners in order to have them clear off the sidewalks just as well. It has been very hazardous to walk even on the sidewalks. I find we must have the cooperation of the real estate owners just as well as have the City of Boston do its part. I hope both will do their part to clear the ice and snow off.

The order was passed under suspension of the rules.

USE OF PROFANITY DURING DEBATE.

Coun. HANNON offered the following:
Ordered, That the use of profanity and (or) vulgarity by any member during debate on the floor of the Council shall force the Chair to immediately declare the speaker out of order, and the speaker shall be forced to immediately yield the floor.

Coun. HANNON—Mr. President, many times, of course —

President KELLY—Counselor Muchnick.

Coun. MUCHNICK—A point of order.

President KELLY—State your point of order, counselor.

Coun. MUCHNICK—That this be referred forthwith to the Rules Committee.

President KELLY—Not forthwith, but after Counselor Hannon talks.

Coun. HANNON—What I was really going to say is I think sometimes vulgarity is excusable, but I think it is getting to be the sign of smartness and, instead of being curtailed, I think other orators are taking it up. I think we should give the Chair some definite backing so that those who do use it can be curtailed.

President KELLY—I agree with the counselor. It is referred to the Committee on Rules.

The order was referred to the Committee on Rules.

Adjourned at 5 p. m., on motion of Counselor McCormack, to meet on Monday, January 20, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 20, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Coffey and Madden.

The meeting was opened with the salute to the Flag.

JURORS DRAWN.

President KELLY—The Chair is in receipt of a venire for jurors. The City Messenger will so notify his Honor the Mayor.

The City Messenger having reported that the Mayor was not available, President KELLY appointed Councilor Moriarty to preside at the box.

Sixty-five additional traverse jurors, Superior Criminal Court, to appear February 4, 1947, were drawn as follows:

Arthur E. Eldridge, Ward 1; James Giarrusso, Ward 1; Carl Kruse, Ward 1; William L. Leonard, Ward 1; John M. Morrissey, Ward 1; John J. Daly, Ward 2; Alexander L. Watson, Ward 2; Samuel Alperin, Ward 3; Wedy C. Assad, Ward 3; Ernest F. Gibson, Ward 4; Harold Hindman, Ward 4; Albert E. Morgan, Ward 4; Leo F. Donovan, Ward 5; Henry Gilman, Ward 5; Alfonso R. Pulsifer, Ward 5; Fortunat Fred Savoie, Ward 5; Henry James Carey, Ward 6; James O. Lawrence, Ward 6; John F. Flaherty, Ward 7; Thomas A. Quinn, Ward 7; Thomas Donovan, Ward 8; John J. Sullivan, Ward 8; Leroy G. Peterson, Ward 9; William Hickey, Ward 10; Bernard F. Doherty, Ward 12; Mendel Shohan, Ward 12; Horace A. Beauregard, Ward 13; Alexander A. Driscoll, Ward 13; Vincent Gladki, Ward 13; Thomas P. O'Brien, Ward 13; Jacob Cohen, Ward 14; Harry P. Morris, Ward 14; David Polish, Ward 14; Ralph F. Tracy, Ward 14; Daniel J. Lordan, Ward 15; Lincoln W. Mann, Ward 15; Morgan J. Sweeney, Ward 15; Harold Moody, Ward 16; John C. Willet, Ward 16; William E. Zabarousky, Ward 16; Antonino Carrenti, Ward 17; Frank J. DeSisto, Ward 17; William J. Higgins, Ward 17; Edward J. Mahoney, Ward 17; Patrick Walsh, Ward 17; Joseph Bruno, Ward 18; Morrell P. Goodwin, Ward 18; Thomas O'Connell, Ward 18; Anthony C. Columbo, Ward 19; Eugene J. Ferris, Ward 19; Edward D. Havey, Ward 19; Thomas J. McCone, Ward 19; Carl F. Nelson, Ward 19; William H. Razeto, Ward 19; Robert E. Ferry, Ward 20; Harold R. Hoyle, Ward 20; Abraham L. Cort, Ward 21; George E. Cushing, Jr., Ward 21; Peter Levine, Ward 21; John T. Conway, Ward 22; John J. Ferguson, Ward 22; Patrick McDermott, Ward 22; John F. Perry, Ward 22; Roland F. Shea, Ward 22; Jacob Tanner, Ward 22.

VETO OF PAYMENT TO WIDOW OF
JOHN J. MAGNER.

The following was received:

City of Boston,

Office of the Mayor, January 20, 1947.

To the City Council.

Gentlemen,—I return herewith, without my signature and disapproved, the resolution of your Honorable Body adopted January 13, 1947, favoring legislation to enable the city to pay an annuity to the widow of John J. Magner, a member of the Fire Department, who died in 1940.

The statute authorizing the granting of such annuities requires that the medical board of the city shall certify that the death of the fireman or policeman involved was the natural and proximate result of an accident occurring, or of undergoing a hazard peculiar to his employment, while in the performance of his duty.

The medical board certified on the petition of Mrs. Magner in 1941 that her husband's death was not due to the conditions required above and

has disapproved similar petitions initiated by Mrs. Magner in 1942, 1943, and 1944.

In the last ten years, the medical board has taken up approximately 140 similar cases and has approved 60 and disapproved 80. I have every sympathy with the widows who have sought annuities in those 80 disapproved cases, and have reason to know from personal contacts that they and their friends disagree with the verdict of the medical board.

The fact remains that a highly qualified medical board has certified in these cases that the fireman's or policeman's death was not the result of an accident or hazard, and under the statute the widow in question is no more entitled to an annuity than the widow of any other policeman or fireman who dies from natural causes.

The resolution before me, if approved, would establish a precedent and would amount to an invitation in every disapproved case to seek special legislation from the General Court, and I am not disposed to involve the city in any such situation.

Respectfully,

JAMES M. CURLEY, Mayor.

Placed on file.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Mr. President, may I ask the clerk, through you, if that is an answer to the resolution I filed last Monday?

President KELLY—Yes, sir.

Coun. HANNON—Mr. President.

President KELLY—Councilor Hannon.

Coun. HANNON—Mr. President, I would like to suggest copies of that be made and given to each councilor. I think that covers a very contentious point. Many times people think we are the ones who deprive them of annuities.

President KELLY—The clerk will kindly make copies of the reply from his Honor the Mayor and distribute them to the councilors.

APPOINTMENTS BY THE MAYOR.

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

Richard H. Burke, 540 Talbot avenue, Dorchester, constable without power to serve civil process, and to serve without bond for term ending April 30, 1947.

Roger W. Curtis, 12 Pond street, Hyde Park, weigher of wool for term ending April 30, 1947.

Severally referred to the Committee on Constables and Confirmations.

AMENDMENT OF COMPENSATION AND
CLASSIFICATION PLANS.

The following was received:

City of Boston,

Office of the Mayor, January 17, 1947.

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,

JAMES M. CURLEY, Mayor.

City of Boston,

Budget Department, January 17, 1947.

To the Mayor and City Council.

Honorable dear Sirs,—In accordance with the provisions of Rule 3 of the "Rules for the Administration of Classification and Compensation Plans for the Employees of Suffolk County," the Register of Deeds has forwarded the attached request for the establishment of the classification "Executive Secretary" in his office.

After an investigation of the actual and proposed duties and responsibilities of this position, I hereby recommend that the following new classification be established:

Title of class: Executive Secretary.

Duties: Under general direction, to act as confidential secretary to the Register of Deeds; to serve as intermediary between the Register and the public; to arrange appointments and conferences; to supervise the personnel of the office; and to perform other related work.

Range of compensation: Annual, \$3,600-\$3,900-\$4,200-\$4,500.

Very truly yours,
JOHN A. SULLIVAN,
Budget Commissioner.

Suffolk County,
Registry of Deeds, January 17, 1947.

Mr. John A. Sullivan,
Budget Commissioner, City of Boston.

Dear Sir,—I, Leo J. Sullivan, the present Register of Deeds for the County of Suffolk, recommend that the Compensation and Classification Plans under chapter 400 of the Acts of 1930, as amended, be amended as provided in said act so as to establish an Executive Secretary, whose duties shall be as follows: to act as confidential secretary to the Register of Deeds; to serve as intermediary between the Register and the public; to arrange appointments and conferences; to supervise the personnel of the office; and to perform other related work.

This position is necessary due to an anticipated reorganization of this office, an increase in the volume of business, and the fact that deeds and titles are ten months in arrears.

I further request that the range of compensation for this position be \$3,600-\$3,900-\$4,200-\$4,500.

Very truly yours,
LEO J. SULLIVAN,
Register of Deeds.

Ordered, That the Compensation and Classification Plans for the Officers and Employees of Suffolk County, as amended, be, and hereby are, further amended by inserting the following new classification:

Title of class: Executive Secretary.

Duties: Under general direction, to act as confidential secretary to the Register of Deeds; to serve as intermediary between the Register and the public; to arrange appointments and conferences; to supervise the personnel of the office; and to perform other related work.

Range of compensation: Annual, \$3,600-\$3,900-\$4,200-\$4,500.

Referred to the Committee on County Accounts.

PETITIONS REFERRED.

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

Claims.

William J. Goldston, for compensation for damage to car caused by an alleged defect in Sumner Tunnel.

Caroline F. Jordan, for compensation for injuries caused by an alleged defect at 704 Huntington avenue.

Max Kneller, to be reimbursed as result of accident which occurred while in performance of duty as employee of Fire Department.

Francis P. Lydon, for compensation for damage to car by police car.

J. N. Muldoon Company, for compensation for damage to truck by ladder truck.

Mary G. Pierce, for compensation for damage to clothing caused by spray from police car.

Anna T. Reardon, for compensation for injuries caused by an alleged defect at 686 Cummins Highway.

Willa H. Thomas, for compensation for injuries caused by an alleged defect in Tremont street.

F. W. Tracy, for compensation for damage to car by car of Police Department.

Committee on Licenses.

Petition to operate bowling alleys on the Lord's Day: West Roxbury Liederkrantz, Lee M. Jekowski, 46 Rockland street, West Roxbury.

Petition of York Realty Corporation for driveway opening at 137 Lincoln street.

PERMIT FOR CHILDREN TO APPEAR.

Petition for children under fifteen years of age to appear at places of public amusement: Mrs. I. C. Craig, Hotel Somerset, January 29.

Permit granted under usual conditions.

APPOINTMENTS TO BOARD OF RECREATION.

Notice was received from the School Committee of appointment of Joseph V. Comerford and Joseph Lee to serve on Board of Recreation.
Placed on file.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

1. Report on appointment of John Carroll (referred January 13) to be member of Boston Housing Authority for term expiring January 8, 1952—recommending confirmation of said appointment.

Report on appointment of Cornelius P. Cronin (referred January 13) to be member of Boston Housing Authority for term expiring January 8, 1950—recommending confirmation of said appointment.

The reports were accepted.

President KELLY—The question is on the confirmation of both appointments. Will the clerk please call the roll?

Coun. LINEHAN—Mr. President.

President KELLY—Councillor Linchan.

Coun. LINEHAN—Mr. President, I suggest you call these individually. It is possible some member might want to vote for one and not for the other.

President KELLY—The question will first be on the confirmation of John Carroll. The clerk will call the roll.

The roll was called and the appointment was confirmed, yeas 18, nays 0:

Yeas—Councillors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linchan, McCormack, Moriarty, Russo, Sullivan—18.

Nays—0.

President KELLY—Eighteen in the affirmative and none in the negative. The appointment is confirmed. The question now comes on the confirmation of Cornelius P. Cronin. The clerk will call the roll.

The roll was called, and the appointment was confirmed, yeas 18, nays 0:

Yeas—Councillors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linchan, McCormack, Moriarty, Russo, Sullivan—18.

Nays—0.

Coun. COOK—Mr. President.

President KELLY—Eighteen in the affirmative and none in the negative. The appointment of Cornelius P. Cronin is confirmed.

Coun. COOK—Mr. President.

President KELLY—Councillor Cook.

Coun. COOK—Mr. President, I would like to be recorded in the affirmative on that vote for Carroll.

President KELLY—Councillor Cook wishes to be recorded in the affirmative on John Carroll. Hearing no objection, Councillor Cook is recorded in favor.

Later in the session Coun. FISH said:

Mr. President, I now ask unanimous consent to be recorded in the affirmative on the confirmation of Mr. Carroll and Mr. Cronin.

President KELLY—Councillor Fish asks unanimous consent to be recorded in the affirmative on the confirmation of Mr. Carroll and Mr. Cronin. Hearing no objection, it is agreed.

Coun. CAREY—I desire to be recorded in the affirmative also, Mr. President.

President KELLY—Councillor Carey also desires to be recorded in the affirmative. Hearing no objection, Councillor Carey is so recorded.

Coun. LANE—Mr. President, I desire to be so recorded.

President KELLY—Councillor Lane desires to be recorded in the affirmative on Mr. Carroll and Mr. Cronin. Hearing no objection, Councillor Lane is so recorded.

The confirmation of Mr. Carroll and Mr. Cronin stood at yeas 18, nays 0.

2. Report on appointment of Bernard J. McCabe (referred January 13) to be constable without power to serve civil process and to serve without bond for term ending April 30, 1947—recommending confirmation of said appointment.

Report on appointment of James Finigan (referred January 5) to be constable without power to serve civil process and to serve without

hond for term ending April 30, 1947—recommending confirmation of said appointment.

The reports were accepted.

President KELLY—The question now comes on the confirmation of the two constables, and the Chair will appoint Councilors Russo and McCormack to receive, sort and count the ballots.

The committee reported the vote as yeas 13, nays 0.

President KELLY—Thirteen in the affirmative and none in the negative, and the appointments are confirmed. Thank you very much, Councilors Russo and McCormack.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase.

Coun. CHASE—A point of order.

President KELLY—Will Councilor Chase please state his point of order?

Coun. CHASE—I don't think the count is correct.

President KELLY—Will the chairman of the committee kindly make his report again?

Coun. RUSSO—Yes, Mr. President. Mr. President, thirteen in the affirmative and one in the negative.

President KELLY—Thirteen in the affirmative and one in the negative, and the appointments are confirmed.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of William F. Hooley (referred December 16) to be reimbursed as a result of an execution issued against him on account of his acts as operator of motor truck belonging to Water Division, Public Works Department—recommending passage of accompanying order:

Ordered, That the sum of one hundred eighty-nine dollars and ninety cents (\$189.90) be allowed and paid to William F. Hooley in reimbursement for amount of execution issued against him on account of his acts as operator of a motor truck belonging to the Water Division, Public Works Department, said sum to be charged to the Contingent Fund.

Report on petition of Henry J. Enross (referred December 9, 1946) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Fire Department—recommending passage of accompanying order:

Ordered, That the sum of twelve hundred forty-three dollars and ten cents (\$1,243.10) be allowed and paid to Henry J. Enross 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 on petition of Edward F. Featherstone (referred December 9, 1946) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Fire Department—recommending passage of the accompanying order:

Ordered, That the sum of four hundred thirty-four dollars (\$434) be allowed and paid to Edward F. Featherstone 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; said orders severally passed.

REPORT OF COMMITTEE ON LICENSES.

Coun. SCANNELL, for the Committee on Licenses, submitted the following:

1. Report on petition of Esto Pasquarosa, 216 Dudley street, Roxbury, to operate bowling alleys on the Lord's Day—recommending that license be granted under usual conditions.

Report accepted; said license granted under usual conditions.

2. Report on petitions for driveway openings:

Abraham Alexander (referred December 9, 1946), 127-147 St. Stephen street, Ward 4; Ida J. Schneider (referred December 30, 1946), 612 Rutherford avenue—recommending that permits be granted under usual conditions.

Report accepted; said permits granted under usual conditions.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. BRYAN, for the Committee on County Accounts, submitted the following:

Report on message of the Mayor and order (referred today) to amend Compensation and Classification Plans, establishing classification of Executive Secretary, Register of Deeds office—that same ought to pass.

Report accepted; said order passed.

ABOLITION OF SPECIAL COMMITTEE ON MILITARY AFFAIRS.

On motion of Councilor Bayley the Council voted to take up No. 1 on the calendar. No. 1 is as follows:

1. Motion of Councilor Keenan to abolish Special Committee on Military Affairs.

Coun. CANTWELL—Mr. President.

President KELLY—Councilor Cantwell.

Coun. CANTWELL—Is that the same committee as Soldiers Relief Committee?

President KELLY—The same committee, councilor. We no longer approve their pay roll.

Coun. BAYLEY—Mr. President, I move that the Special Committee on Military Affairs be abolished. We postponed it last week so that the chairman could speak on the matter. Now he can if he wishes, and I move that the Committee on Military Affairs be abolished.

President KELLY—Councilor Bayley moves that the Special Committee on Military Affairs be abolished.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Will someone please enlighten the Body on what subjects come before that committee?

President KELLY—Before the recent change in the law, councilor, all the disbursements of soldiers' relief had to be approved by the Council. That is why that committee was in operation.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Isn't that the committee that heretofore was known as the Committee on Soldiers' Aid and Pensions, or something of that sort?

President KELLY—Soldiers' Relief, that is right. Councilor Bayley moves that the Special Committee on Military Affairs be abolished. All those in favor will please rise. The Chair will declare the motion lost because it takes two thirds of the entire membership, 15 votes.

CONTRACTS FOR HOUSING PROGRAM FOR VETERANS.

Coun. LINEHAN offered the following:

Ordered, That his Honor the Mayor request the members of the Boston Housing Authority, when administering the City of Boston's \$10,000,000 housing program for veterans of World War II, to let out contracts under said program as provided under section No. 30 of the City Charter of Boston, which reads as follows:

"Every officer or board in charge of a department in said city and every officer, board or official of the county of Suffolk having power to incur obligations on behalf of said county in cases where said obligations are to be paid for wholly from the treasury of said city, when authorized to erect a new building or to make structural changes in an existing building, shall make contracts therefor, not exceeding five, each contract to be subject to the approval of the mayor; and when about to do any work or to make any purchase the estimated cost of which alone, or in conjunction with other similar work or purchase might properly be included in the same contract, amounts to or exceeds one thousand dollars, shall, unless the mayor gives written authority to do otherwise, invite proposals therefor by advertisements in the City Record. Such advertisements shall state the time and place for opening the proposals in answer to said advertisement, and shall reserve the right to the officer, board or official to reject any or all proposals. No authority to dispense with advertising shall be given by the mayor unless the said officer, board or official furnishes him with a

signed statement which shall be published in the *City Record* giving in detail the reasons for not inviting bids by advertisement."

Be it further

Ordered, to request the Corporation Counsel through his Honor the Mayor to render a legal opinion to the City Council as to whether or not the aforementioned matter comes within section 30 of the City Charter.

Coun. LINEHAN—Mr. President, this is another one of those housing matters which from time to time have been spoken about. Under the present setup, relative to our \$10,000,000 veterans' housing program, the law states in chapter 372 of the Acts of 1946 as follows, in section 8: "In carrying out the provisions of this act, any city or town in which a housing authority has been organized under sections 26L and 26M of chapter 121 of the General Laws shall use such housing authority as its agent and all moneys appropriated under this act or received by such city or town for the purpose of this act from any source shall be paid by the treasurer of the authority and shall be disbursed by him subject to section 26EE of said chapter." Looking back, I ask how contracts can be given under our \$10,000,000. I am a little bit at sea about it. It would seem to me that the Boston Housing Authority apparently has been appointed agent of the City of Boston by the Legislature, and it seems they should come within the provisions of section 30 of the City Charter, which provides as read by the City Clerk advertising for contracts which expend more than \$1,000. Going into chapter 372, section 8, it specifically mentions the authority will be subject to section 26EE of said chapter. Looking at section 26EE of said chapter, I don't find any matter there with reference to contracts. It mentions many things such as sell, convey or lease any of its interest in any property—or grant easements, licenses, etc. It talks about "cause parks, playgrounds or schools—or any other public improvement which as otherwise authorized to undertake—to be laid out, constructed or furnished adjacent to or in connection with a housing project." It goes on along to other subdivisions, but none of them are relative to contracts. So it seems to me there is a little doubt as to whether or not the Boston Housing Authority can let out contracts at the present time. Under the present setup in the Boston Housing Authority, as I understand it, the Boston Housing Authority can let out a contract to the lowest bidder if it so desires after notifying a select group of contractors that they want a certain job done. That certain group of contractors can be taken at the whim of the Housing Authority, and up to now I think they have been in most cases, you might say, substantial contractors. But, of course, we all understand that there is always a danger that once in a while you might not get substantial contractors from this so-called select list. As I said before, I am not saying the Boston Housing Authority up to now has put bad ones on the list, but it is very possible, and I know as a matter of fact there have been very many substantial contractors left off the list. I personally think that is bad. You can imagine how it would be in the City of Boston. Of course, we have had complaints recently on the disposal of garbage and ashes and so on, but at least the Commissioner of Public Works did have to go through a regular procedure of getting the permission of the Mayor after written request that advertising be dispensed with. Under the administration of this act, chapter 372 of the Acts of 1946, there is nothing definite other than the fact that it says that the Boston Housing Authority shall be its agent. The thought in my mind is, does that mean for all intents and purposes it shall be the agent, and if it is the agent of the City of Boston in the administration of this \$10,000,000 for housing for veterans, it seems to me the same provisions in section 30 should apply to the Boston Housing Authority on that particular project, the \$10,000,000 veterans' housing program being paid for by the taxpayers of Boston. The low-cost housing project gave authority to borrow money for low-income housing, but that is different. There is nothing to stop the Boston Housing Authority from taking 10 contractors and saying, "Here, we have a job we want you to bid on," and selecting the most reputable one, whichever one it might be, to do the job. But what about the other 10 or 15 or 20 or 25 equipped to do the job? They don't have an opportunity to bid. I have no complaint against what has been done up to now by the Boston Housing Authority because

they have been within the law. The law says they can let out their jobs of low-income housing. They can have a select list of contractors, but there is a question in my mind as to whether they have the authority to do the same thing with our \$10,000,000 which will be expended for veterans' housing. I for one hope that it will not be administered in the way the low-income housing contracts were let out, because I don't doubt in the old days—you might even have the situation today—you might have a large project such as the one in the Cathedral site which would require a large contractor to bid on that job or those jobs. But on contracts for building of houses for veterans, it is possible you might have 10 two-family houses in one location, and you certainly don't need big contractors to bid on those. We might save money for the City of Boston if we have a lot of small contractors bidding on it. It is not a question of letting them bid on it, but it seems to me that we should be fair and let all contractors bid and let the Boston Housing Authority as the agent for the City of Boston decide which are the most reputable concerns to do the job. It seems logical to me we can save a lot of money for the city if it is done that way. Under the setup here, as I say, under chapter 372 of the Acts of 1946, it refers to the fact that the Housing Authority shall be the agent of the City of Boston, but it further goes on to say in reference to the expenditure of money by the Boston Housing Authority "all moneys appropriated under this act"—that is, the act which gave us the \$10,000,000 for housing of veterans—"so received by such city or town for the purpose of this act from any source shall be paid to the treasurer of the Authority and shall be disbursed by him subject to section 26EE of said chapter." If it is strictly our agent, it seems to me section 30 of the City Charter, which provides for the proper giving out of contracts, should be adhered to by the Boston Housing Authority so that the taxpayers of Boston would be sure of protection, but, as I say, it goes on to say, as far as I can make out here, it provides for nothing relative to contracts given out by the Boston Housing Authority other than this: Under this section between a city or town and the Federal Government or between a city and town and Housing Authority contracts shall not be subject to any provision of law relating to publication or advertising for bids. That gave the Boston Housing Authority the right, as I see it, not to have to go out and advertise for bids on contracts under the low-income housing project. It is very possible some lawyer at the Boston Housing Authority might say that chapter 372 of the Acts of 1946 says that we shall be subject in the disbursing of those funds to section 26EE of said chapter, and they might say to the members of the Boston Housing Authority, "We do not think you have to advertise for public bids," and they might give as authority section 26EE at the end of subdivision J, and I just read it to you where it dispenses with the advertising by the public housing authority. As one of the members of the City Council that appropriated this \$10,000,000, I hope something has been done relative to this program up to now. I know several weeks ago the Boston Housing Authority did start to draw money out of the \$10,000,000. They have received \$300,000 and have started to administer, but I don't know how they have administered, that \$300,000 up to now, and I don't know that the Law Department has been requested by the Boston Housing Authority—whether the Boston Housing Authority as agents of the City of Boston has asked them whether or not they come under section 30 of our charter, or whether or not it simply comes under section 26EE, subdivision J. But I certainly think the fact that it is the city's money—and it says in the act the Boston Housing Authority shall be the agent of the City of Boston—as our agent, they should come within the provisions of the City Charter, because the city itself has got to live up to the City Charter. Up to now I contend there have been occasions when the City of Boston has not lived within the charter but, unfortunately, we have not gone to the courts to decide just what comes within the jurisdiction of the City Council. I think there have been several matters this year that properly should have gone to the courts to find out what does come within the jurisdiction of the City Council. I think for the benefit of the taxpayers as a whole this matter should be administered as I suggest, and I think the councilors as a whole will agree with me that they should advertise openly

and let all contractors bid on the jobs which are given out on this \$10,000,000 veterans' housing program. After all, it is the City of Boston's money, it is not money being raised by the Housing Authority as it does relative to its low-income housing developments. That is, the City of Boston does not give the money for the construction of low-income housing developments, but we have given them the \$10,000,000, and they have already received some of the money, as I said, several weeks ago. They drew out \$300,000. I hope at the start of this program the Boston Housing Authority comes without exception within section 30 of the charter, so that we have no aspersions cast on, you might say, the contractor who receives contracts from the Boston Housing Authority relative to the veterans' housing program. If nothing else, I want a good job done on veterans' housing, I want an honest job done, and I want veterans, if they have a contracting firm and are able to build a development of 10 houses going up, to have a chance. I want the small guy to be able to get a chance to do the job if he can bid lower than the big fellow. The small fellow is entitled to a shot at the job, and that is why I am up on my feet here today. I might conclude by saying I think the members of the Housing Authority will do an honest job, but we can never be sure of an outright honest job unless they come within section 30 of the City Charter. In any event, you won't have talk of "special lists" and "select lists" of contractors administering the city's money. If they say they don't come within the City Charter, then the Boston Housing Authority can select any contractors they desire to bid on the different jobs. That will be a bad situation. I sincerely hope his Honor the Mayor will have enough interest in this matter to request the Corporation Counsel to rule as suggested on this order. But even if the Corporation Counsel rules in his judgment it does not come within the City Charter, it would seem to me good policy on the part of the Boston Housing Authority to live up to section 30 of the City Charter. I sincerely hope this order will be passed under suspension of the rules.

Coun. SCANNELL—Mr. President.

President KELLY—Councilor Scannell, talking on the order.

Coun. SCANNELL—Mr. President, I certainly hope Councilor Linehan's order passes because of the activities of the Housing Authority in building some of these temporary veterans' housing projects in the South Boston and Dorchester area. I am referring to the housing development in South Boston. I don't know how much it cost, but I am trying to get figures on how much it cost to build these tinderboxes in Camp McKay in South Boston. I think it is one of the worst things that ever happened in this city when they went in and built those tinderboxes for returning veterans, and I mean tinderboxes because that is all they are, tinderboxes. I will refer to the remarks made a few weeks ago when a woman walking into a new apartment put one of her heels through the floor of this apartment. I also refer to the location of these temporary housing units, such as Camp McKay in South Boston, built on nothing but a dump with rodents running wild in that section of South Boston. This is a terrible indictment against whoever is responsible in putting that type of house in that section. Imagine putting a returned veteran there—building tinderboxes for veterans' housing on a dump. This I want to know, who is the favorite contractor who built it, and I am going to find out in the very near future, and also how much these apartments cost. Can you imagine bringing small children up on a dump within 150 or 250 feet from where Coleman Brothers are dumping refuse and swill? I don't know why the Health Department does not get after them. This is something that should be stopped, and I hope in the future that they are going to spend the \$10,000,000 in a proper manner, that they are not going to use any of that money to build tinderboxes such as are out in Camp McKay. I hope they are not going to use the other part of Old Colony dump for veterans' housing. I think it is a disgrace to whoever is responsible for it. I understand the Boston Housing Authority is not responsible, but the Federal Housing Authority is. I think the contractor who built these projects got it as a "pet" job, and I hope they don't use any of the \$10,000,000 that we members of the City Council and the Mayor through the order of the Council were responsible for getting. I hope they don't have any more favorite contractors, and I

hope every small building contractor will have a crack at some of this work. I further emphasize that I am going to find out who is responsible for Camp McKay and how much it cost.

President KELLY—Councilor Russo, talking on the order.

Coun. RUSSO—Mr. President, I heartily agree with the order. It brings to my mind after listening to the various councilors on some of these temporary homes that have been built that the Housing Authority should not consent to the building of these houses for veterans in any one particular section. I don't believe it is fair that \$10,000,000 should be spent in one section of the City of Boston. I believe the \$10,000,000 ought to be spent in the 22 sections of our city. There is no particular section of our city where the boys of the city did not contribute their share. I feel that there is no particular section in the city that contributed more than any other section of the city. Having in mind also that these homes after a period of time will be sold to these veterans, I feel it would be an injustice if we segregate them in one particular section. I feel that we have land in the whole 22 wards of our city that should be developed as such so as to give an opportunity to some of our young men who gave their all in order to make our country free, that we ought to respect the sections that they left when they went to war, and give them a decent home in the very same section to which they came back. I do hope the authorities who have the power of spending this money will see to it that a just proportion of homes are distributed and built in all sections of our city. In regard to the chapter and the act the councilor has just outlined and, as he stated very well, if it does not come within the scope of the City Charter, I hope the Housing Authority consents to giving it to public bid to give an opportunity to everyone to bid on these homes. We will then have the opportunity of building better homes throughout the city when they are scattered around than to give it to one or two contractors to build. Therefore, I hope this order will pass and that a ruling will be given which shall be that it comes within the scope of our City Charter because it is the City of Boston which has given the \$10,000,000, and that amount of money should come within the scope of our charter.

President KELLY—Councilor Linehan?

Coun. LINEHAN—Mr. President, I suggest if any member of the City Council knows of any fairly large site in his particular district which might be owned by the city or purchased at a very low cost, that he might, say, file an order in the City Council requesting the members of the Boston Housing Authority to consider whichever site is mentioned in his particular whereabouts. I sincerely hope some of the City Councilors, and I know several of them have large sites in their districts, will file orders requesting the Boston Housing Authority to consider these sites to give every City Councilor a chance. To be honest, I am going to find it hard to find a site in Ward 7, but it seems to me every other councilor in the city should be given the opportunity to build up his district with good one and two-family homes. Today is a good time to start the ball rolling before the contracts are let out and before the sites have all been taken. I suggest that time is of the essence and you start on it today.

President KELLY—Councilor Kinsella, talking on the order.

Coun. KINSELLA—I would like to ask Councilor Linehan two questions.

President KELLY—Councilor Linehan.

Coun. LINEHAN—Yes.

Coun. KINSELLA—First, I would like to ask the councilor if chapter 372 gives any authority for spending any of that money for site clearance and for the purchase of land.

President KELLY—Councilor Linehan.

Coun. LINEHAN—I think the Boston Housing Authority can do anything under 372 which the City of Boston itself can do, because it says specifically in chapter 372 that under this particular subdivision of 372 the city housing authority will be its agent; therefore, I say the Boston Housing Authority can do what you ask.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—That is clear enough, but I would like to observe I would not want to see any substantial part of the \$10,000,000 going for the purchase of old shacks and thereby cutting into the number of new homes that could be put up. The second question is, does chapter 372 provide for any other type of house but permanent housing?

Coun. LINEHAN—Answering your question, councilor, chapter 372 covers different things which the city itself can do, although in this particular instance it is only making available to the Boston Housing Authority \$10,000,000 to be spent on a subdivision of the act, one of the provisions listed in chapter 372, which is the building of one and two-family homes. But there are other things such as taking, you might say, homes taken for taxes; the city can take them and build them up under another provision of chapter 372, but up to now the City of Boston has not appropriated money for such purposes. It is merely under the section which provides for the construction of new one and two-family homes, not for renovation of old ones.

Coun. KINSELLA—I think Councilor Linehan will agree we did not contemplate other than permanent construction out of this loan money.

Coun. LINEHAN—As I said, that is all that can be built today, the construction of one and two-family homes under this \$10,000,000 project. There is nothing to stop the City of Boston from appropriating money to take advantage of other sections of 372, such as I said a while ago, taking old homes and renovating them, and so forth. We can buy land and sell the land to private contractors, and so forth. There are many other things, too. I could read the whole act, but it would take too long. I will go through any questions you ask on the subject.

The order was passed under suspension of the rule.

EMPLOYMENT OF TEMPORARY ASSISTANT, CITY COUNCIL DEPARTMENTS.

Coun. HURLEY offered the following:

Ordered, That the President hereby be authorized to employ a temporary assistant to dispose of the accumulated and 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.

HAZARDS IN KEEPING OF DANGEROUS WEAPONS.

Coun. HANNON and MORIARTY offered the following:

Ordered, That his Honor the Mayor be requested to arrange a conference with the Police Commissioner, the editors of Boston newspapers, the heads of military organizations, and other leaders in public life, to consider measures which might be adopted to educate the public relative to the hazard of keeping in their homes, or on their person, guns, knives, or other dangerous weapons, which might fall into the hands of less scrupulous, or non-law abiding individuals and become the instrument of crime.

Coun. HANNON—Mr. President, practically every day now we are astounded in picking up the paper and reading of the killing or the abuse of some human being. Not only that, but we are confronted with the fact that practically every day crimes of all sorts are being committed in which dangerous weapons are involved. Now, I know the control of dangerous weapons has been the subject of discussion, and I think we have reached the stage now, Mr. President, where something really has to be done to educate the public to the hazard of maintaining in their homes or on their persons these dangerous weapons. It cannot be done by one or two. It cannot be done in the schools. It has to be done through the public, through the newspapers, and I think where we are having drives for various purposes we might well have a drive for the abolishment of means of assault or means of robbery, the abolishment of firearms and dangerous weapons. Once the war is over, the Government itself gets rid of big battleships, gets rid of the means it has taken to conduct the war, and I think the Veterans of Foreign Wars and other military organizations might well instruct members that those guns and revolvers and knives that have been brought back might better be turned over to the organization and might even

better be destroyed. Nine times out of ten it is not the fellow conversant with the use of these guns and who uses them for legal purposes; it is somebody else into whose hands they fall. You can walk down the street and you see pawnshops and hook shops with all sorts of guns in the windows. Sometimes in the big stores you have a display of all sorts of knives which might be the implement of death in the hands of someone who did not know how to use them. I think in a campaign of education we have to fight to show the people the dangers of the use and particularly the abuse of these implements. I know full well a person might be attached to some souvenir he brought back from a foreign shore, yet that very person would probably be heartbroken if that souvenir he brought back and which meant so much to him was stolen or was delivered into the hands of some other person who used it for unlawful means. Look at the kids stealing automobiles nowadays. In practically every stolen car apprehended we find a gun or two on the back seat. I don't believe even the police are checking up enough on these automatics and revolvers that are in the hands of persons, some of whom have licenses to use them, and why, I don't know. I remember a man who worked with me who had a permit to carry a gun. I don't know why he needed it. He didn't need a gun any more than the rest of us, but he had a permit, and every year he renewed that permit. I think the police might well check up on anybody who has a permit to find out how many bullets were purchased for that gun and to make him account for the balance. I think much good could be accomplished if the Mayor and the Police Commissioner and the heads of the Legion and the heads of Veterans of Foreign Wars sat down and talked this thing over. Instead of a drive for newspapers or other valuables, why not have a drive for old metal—not scrap metal—hut old metal which might be the means of death and robbery; yes, might be the means of other more hideous crimes. I think much good can be accomplished if we set about showing these boys who came back from overseas that though the gun means a lot to them, it still is an implement of torture, an instrument of death in the hands of somebody else to whom it would mean nothing but robbery and plunder. I am sure public-spirited citizens will be happy to cooperate. I think something could be accomplished through legislation, but I think more can be accomplished primarily through education. We should crack down on the prevalence of guns and knives in the hands of people who have no right to them and don't know how to use them. Only the other evening on Stuart street a man carried a six-inch knife and he merely had to press a button and a six-inch blade came out. He gets a few highballs in him and he sears four or five people. It can happen more often than once every day in the week, and the only thing we can do to curb it is through education. Maybe it would be better to take these implements of war and destroy them. Perhaps it would be better if the Legion or the Veterans of Foreign Wars asked the individual members to turn over to the post any guns of any sort they possess. At least, let us not sit by and see these dastardly crimes increase day after day. Let us see if we cannot through education show the people that these souvenirs as they are sometimes called are still implements of warfare.

Coun. MORIARTY—Mr. President, as Councilor Hannon says, through a program of education we ought to be able to instruct these returned GI's who might have the so-called souvenirs or implements of warfare, to dispose of them. It is a theme I believe the public press could feature, it is a problem they could expose, and it would do some good. Educate the kid who has a gun he can show off to his friends as booty from warfare; educate him that it is not smart to be carrying that around, that it could get into the hands of someone who could do real violence. I say the American Legion and the Veterans of Foreign Wars and the various other military organizations through their periodicals as well as the public press should carry on a campaign of instruction and take these souvenirs away, or permit them where they might do the least harm.

Coun. KINSELLA—Mr. President, what is the order?

President KELLY—The clerk will read the order.

(The order was read.)

The order was passed under suspension of the rules.

ERECTION OF SOUTH END AND SOUTH BOSTON HOUSING PROJECTS.

Coun. HANNON offered the following:

Ordered, That the Boston Housing Authority be directed by his Honor the Mayor to proceed with negotiations for the erection of the South End and South Boston housing projects.

Coun. HANNON—Mr. President, following along the theme of the councillor from South Boston (Councillor Linehan), I think we here in the Council should never lose sight of the fact that these so-called temporary homes erected at Camp McKay and Franklin Field and other places are but temporary homes. Many times we seem to be self-satisfied as long as we are rid of these people who are seeking apartments. Let sleeping dogs lie. I think the main purpose of the Housing Authority is to provide not temporary housing but permanent housing. I don't care whether it is a one- or two-family house, or what it is, but these houses at Camp McKay are only temporary, and we should not lose sight of that fact. A few months ago we had much ado here about the fact that the South Boston and South End projects were not being rushed to completion. Camp McKay was opening, and since that has been opened a matter of a few months, nobody has said a word about the South End project or the South Boston project. I would like to see these projects carried through to completion. The other day in conversation with the chairman of the Housing Authority he told me the only hitch was the interpretation of the statute governing the Housing Authority, whether the building could be built for this sum of money or that sum of money. He said it hinged on the interpretation of one phrase in the statute. If that is so, it seems to me that we here in Boston should get on the ball and have somebody in Washington—we certainly have authority down there and power enough down there, or so it would appear—interpret that statute either pro or con, and to let us know where we stand. My position is this: those houses in Camp McKay which, by the way are in my district, are merely temporary and makeshift homes. I don't want to be a party to the fact that there are veterans in there, and now, don't let us forget the permanent housing projects in the South End and South Boston. I say, let us get on the ball, construct these places in the South End and in South Boston, and move these people out of these chicken houses or temporary homes, or whatever one might wish to call them.

Coun. LINEHAN—Mr. President, I don't know if the gentleman was present several weeks ago when I filed an order requesting his Honor the Mayor and the Boston representatives in Congress to get on the ball relative to the construction of low-income housing developments on the Cathedral and South Boston sites. At that time I simply asked his Honor the Mayor, and the following week he sent a letter which was read, that he would do everything in his power to get after the two particular projects immediately. At that time I also filed an order as going on record and having the Council go on record for the building of more projects which can be done under the Taft-Wagner-Ellender bill. That was several weeks ago. I can't say from my own knowledge it does hinge on whether or not the Boston Housing Authority can get more money to meet the so-called bids submitted by the contractors for the completion of the low-income housing projects in the South Boston area and on the Cathedral sites. Several weeks ago I gave that information to the councillors, and there is no question in my mind we have to wait for action from Congress. The present housing act was construed by the Attorney General last year, and he says that we cannot appropriate any more than so much per apartment and, of course, contractors are bidding more than that amount of money, so it is a question of the Boston Housing Authority not having enough money to build the projects; that they have so much but not enough. In order for them to get more, they have to have an amendment made by Congress; not the Housing Authority and not the Legislature, but it is in the lap, you might say, of Congress. We sincerely hope the veterans' organizations and their representatives in Washington get on the ball and do something with regard to the Taft-Wagner-Ellender bill. Last year it was pigeonholed. It passed one of the houses, and it was pigeonholed in the other. The chances are, and it is the consensus of opinion of experts, that it is going to be pigeonholed again. I don't know

whether that is going to be the present action of the leadership in Washington, but that seems to be the opinion of leading writers for business magazines. I sincerely hope the writers are incorrect.

Coun. COOK—Mr. President, I would like to point out for the benefit of the councillors, when Mr. Carroll appeared before the Committee on Confirmations, he explained they could go ahead with the construction, but that it depended on the interpretation as to whether they could spend \$1,200 per room, whereas, the Federal Housing Authority said they were limited to \$5,000 per dwelling unit. Mr. Carroll contests, and I think he is right, in multiple dwellings that they are allowed to contract at \$1,200 a room. It is in the lap of the Attorney General. Mr. Carroll has contacted our Congressmen, and they said a decision would be rendered very shortly. He also pointed out—relative to the remarks by the councillor from Ward 13 (Councillor Hannon)—that these temporary houses are not only not what the veterans desire, but in many instances they are fire hazards. The dwelling units at Franklin Field seem to be in difficulty now as between the Federal authority and the state authorities and the city authorities as to the heating of these units. They have to keep barrels of oil outside of wooden buildings, and I doubt whether any fire department would issue a permit if the law was strictly observed. It is very important that these permanent dwelling projects be high pressured from every branch of the government, from the sponsor on down. I hope we get some action on this order.

Coun. RUSSO—May we have the clerk read the order again?

President KELLY—The clerk will please read the order.

(The order was read.)

Coun. RUSSO—Mr. President, I believe it is on record what I said on this question when it came up before us some time ago. However, I would like to touch upon the Taft-Wagner-Ellender bill as I believe that bill concerns the sections in the north, west, and south of Boston, and particularly of building in Boston. I do hope the men will not lose sight of the fact that these sections which I represent, the North, West and South Ends, happen to be in the heart of the city. They happen to be the first homes erected in our city, and we have homes there which are about 300 years old and over. They still are in existence today, but they should be condemned and done away with. We must also realize in my district we have not the homes that some of the other sections of the city enjoy today. We are paying taxes just as well as any other section of our city. We talk so much about building Boston and still, what has been done in order to build Boston? In order to build Boston you must do away with all these homes that are unfit, yes, unfit to live in. I feel that unless the Federal government, the state government and the city government combined get together to do something about it, we cannot expect private enterprise is going to take care of the whole burden. The Taft-Wagner-Ellender bill would give the people of my section an opportunity to have these low-cost housing projects in my section, they have been clamoring for them for the past ten years or more. I have done everything within my power, even to speaking with the chairman of the Housing Authority at Washington some time ago, about six years ago. They all agreed that something ought to be done, and still the powers that be do not do anything about it. I am getting sick and tired of hearing "Build up Boston." I believe the only way we can build up Boston is to drop an egg bomb, and let's all roll up our sleeves and get to work to rebuild Boston. I do hope the representatives in Washington will do something about it and give the people something to which we are entitled, and that is, better housing conditions. Let us start on it. I hope the Senators of our state and the Congressmen of our city will do something in order to see something is done to eliminate the bad housing conditions that exist in our city today.

The order was passed under suspension of the rule.

"ON-THE-JOB" TRAINING FOR VETERANS.

Coun. HANNON offered the following:
Ordered, That his Honor the Mayor be requested to direct the head of every city depart-

ment to immediately make arrangements for "On-The-Job" training for veterans.

Coun. HANNON—Mr. President, a few weeks ago the gentleman from Ward 11 (Councilor Moriarty) introduced an order asking the city to take advantage of the "On-The-Job" training regulations of the Federal government. At that time I had not received any particular requests from veterans seeking this training, but in the course of the last few weeks I have had three veterans who have come to me and asked if it is possible to get jobs in the city on this program. Upon checking up, I find out the city has employed two employees under this act. I wrote a letter to the Park Commissioner asking him about the employment of veterans, and I received the following reply:

"Referring to your letter of recent date regarding employment of Thomas F. Conklin, I have written him and explained to him he would have to register at civil service as a tree surgeon or tree climber. If he is a veteran and his service can be obtained; that is, if he can be certified by civil service, I will be only too glad to take care of him."

I don't know if that is the tenor of each department head, but if they are certified by civil service, they can be taken care of, anyway, and they don't come under the G I Bill of Rights. I would like to find out whether or not we are going to take advantage of this act, and if we are not, let us be honest and tell the kids we are not; if we are going to take advantage of it, let us be honest enough to give every councilor an opportunity to do it. You get sick and tired of getting these letters back from department heads saying if his name is certified by civil service, of course, I will employ him. Of course, he will, we know that. I don't want to let any kid be given the runaround by having a department head tell him to go to civil service and if his name comes down, he will employ him. If these department heads had to be certified by civil service, I wonder how many of them would be employed. I would like to get this straightened out: Is the City of Boston going to take advantage of this "On-The-Job" training bill or is it not? That question, it seems to me, might be answered "yes" or "no," and no poor veteran would be given the runaround.

Coun. MUCHNICK—It seems to me this is something which might require an interpretation from the Law Department as to whether we have the right under our civil service setup to employ veterans on a non-civil service basis even if we get an allotment for their services from the government. Under those circumstances, I move this go to Executive, and that the Law Department be asked to give an opinion.

The order was referred to the Executive Committee.

SCIENTIFIC SURVEY OF ELEVATED.

Coun. MUCHNICK offered the following:
Ordered, That his Honor the Mayor request the Trustees of the Boston Elevated Railway Company to engage the services of a competent firm of industrial engineers for the purpose of having said engineers conduct a scientific survey of the management and operation of the Boston Elevated Railway Company with a view towards eliminating such wasteful practices, inefficiencies and unnecessary costs as may be found to exist.

Coun. MUCHNICK—Mr. President, in a letter published in the *Boston Traveler* on Saturday, January 11, 1947, Mr. Edward Dana, President and General Manager of the Boston Elevated Railway, wrote the following:

Legislature Makes El Pay Dividends.

People's Editor:

I wish to reply to a recent correspondent of your column in order that the facts may be clearly stated.

First: A specific act of the Legislature defines the procedure in operating the Elevated system and that act comprises a contract between the Commonwealth and the private owners, which contract includes as part of it the payment of \$5 dividends per share on the outstanding stock.

Second: 39 per cent. of the riders use the system during the four rush hours of the day and 61 per cent. during the remaining non-rush hours. Reducing the fare of any substantial number of these non-rush hour riders, as suggested, would mean a loss of gross income.

During 1946, income failed to meet total costs of service by more than \$2,000,000 and, conse-

quently, this deficit will be imposed upon the tax payers under the act. In order to correct this situation, the trustees, acting under the provisions of the law, increased local fares to secure additional revenue and attempt to relieve the tax payer of this burden. The income received since this change indicates that had it been in effect during 1946 there would not be a deficit to impose upon the tax payers.

Third: In 1919, when the first flat 10 cent fare was placed in effect, the total cost of service was less than \$32,000,000, whereas in 1946, under present inflationary costs of all items, it is estimated to be \$42,000,000. Fares, therefore, needed to be adjusted upwards to pay the increased costs that must be met out of fares received.

EDWARD DANA,
President and General Manager,
Boston Elevated Railway.

Boston.

There are many answers to Mr. Dana's letter, but a full and complete answer was given in 1910 by the late Justice Brandeis, who as counsel for the shippers argued against the railroad rate increases, before the Interstate Commerce Commission. During the course of the hearing of that case, Mr. Brandeis stated and I quote, "It would be a most serious danger to establish the principle that if, according to present conditions, they (the railroads) need more money, they raise rates instead of doing what in every competitive business it is necessary to do, namely, to consider whether you cannot make more money by reducing your cost. . . . If we are to travel in the vicious circle of meeting higher costs by ever higher costs, if the burden of increased rates and other burdens are to come upon the community, then where is the limit?" During the course of that hearing, Mr. Justice Brandeis demonstrated fully how the railroads, who were then seeking increased rates because of increased costs, did not need authorization for said increases, but could accomplish the desired result of making profits by eliminating waste and introducing scientific management in the operation of the railroads. There are many firms of competent industrial engineers who engage only in the business of making scientific studies of plants, factories, industries, and everything connected with the operation and management of any business, regardless of its size or kind. I do not know when the Elevated last had such a survey made or whether they ever had such a survey made. I assume that there are certain persons in the employ of the Elevated whose function it is to do what they can towards eliminating waste and installing scientific methods of operation in the different departments of the company. I do not know how far they do go in this matter or how far they can go, but I am convinced that an outside firm, composed of people who are complete strangers to the method of operation of the Elevated and who are complete strangers to the officers and employees of the Elevated, can do a good job in eliminating waste, reducing costs and rendering the Elevated more efficient. I am convinced that such a firm by putting into play the experience it will have gained in other scientific surveys it may have made with other similar companies or drawing upon its general experience, can do a job that must result in savings.

Such a scientific survey is essential, particularly in view of the fact that the Elevated is at present constituted as a monopoly in the transportation field of Greater Boston. As is well known, there are many evil features connected with monopoly. I will not go into all of these at present, but will discuss only three. In the first place, monopoly implies lack of competition. This lack of competition breeds inertia, dearth of inventions, smugness and security on the part of the monopolies and resulting inefficiency, which in turn must lead to a reduced return to the consumer at an increased cost to the consumer—in this instance, inadequate transportation at increased cost to the traveler. In the second place, monopoly inevitably leads to growth of the monopoly usually to such an ungainly and unwieldy size that it becomes impossible eventually to operate efficiently and economically. It is a well-established rule of business management that after a certain point, increased growth becomes uneconomical and inadvisable. The Elevated may well have reached the point that an added growth of ten (10%) per cent may result in only five (5%) per cent return at a twenty (20%) cost. I don't say that the Elevated has reached this point in its growth, but I feel that no one can argue that point one

way or the other until some scientific data has been produced to establish the fact one way or the other. In the third place, the security of a monopoly can and very often does lead to the establishment of "irresponsible power" in the hands of a few. This power and security inevitably breeds a lack of regard for the consuming public. This, of course, contains many bad potentials for the community. A scientific study might show that it would be more economical and more beneficial for the public to limit the growth of the Elevated and the area covered by the Elevated and to establish another transportation company to service certain areas.

It is obvious that Mr. Dana's letter is not an answer to the problem. This letter clearly does not solve the problem because it attempts only to pass on to the consuming public the inefficiency and waste of a smug, secure monopoly, sure of its legal protection. The letter states in part as follows and I repeat: "In order to correct this situation, the trustees, acting under the provisions of the law, increased local fares to secure additional revenue and attempt to relieve the tax payer of this burden. . . . Fares, therefore, needed to be adjusted upwards to pay the increased costs that must be met out of fares received." That is not a proper answer to the problem. The real answer is a reduction of unnecessary costs by elimination of waste and establishment of economics under improved plans of scientific management. This must result if properly done, in my opinion, with improved service for the consumer at a reduced cost. It seems to me that the final result would necessarily be no deficiency for the taxpayers, lower rates, better service and increased dividends to stockholders.

The trustees of the Boston Elevated Railway are members of the public, who are appointed for the purpose of protecting the interests of the public. It seems to me that it is clearly in the public interest for the trustees to employ a firm of industrial engineers as suggested in the order and pay them a reasonable fee to see what can be done. Forty-two million dollars was spent by the Elevated in 1946. More than two million dollars of this is a deficit, which is imposed upon the taxpayers of Greater Boston. In an attempt to save this two million dollars and more, if possible, the trustees in my opinion owe a duty to the public to take this suggestion, which seems reasonable, of hiring a competent firm of industrial engineers. There should be no question raised as to the potential expense involved in the conduct of this survey, because this expense, if the survey for some reason proved unsuccessful, would be borne by the taxpayer if it resulted in a deficit. But, I am convinced that the taxpayers of Greater Boston would be willing to spend the money required for a survey to learn if this deficit can be avoided and whether service can be improved and fares reduced rather than be kept ignorant of the facts. I am quite sure that the trustees will see the logic of the request contained in the order and will proceed to arrange for the survey.

I ask for the suspension of the rule, and the passage of the order.

The order was passed under suspension of the rule.

REPORT OF COMMITTEE ON LICENSES.

Coun. SCANNELL, for the Committee on Licenses, submitted the following:

Report on petition of Howard Cosgrove (referred December 9, 1946) for driveway opening at 122 Seaver street, Ward 12—recommending that permit be granted on usual conditions.

President KELLY—The question first comes on the acceptance of the report of the committee. All those in favor say "aye," those opposed "no," and the report is accepted. The question now comes on the granting of the license.

Coun. COOK—Mr. President, I am opposed to the granting of this license. I oppose the change of zoning restrictions and the issuance of the Street Commissioners' permit. I understand the Mayor's office has insisted all the way through that it go through. I am opposed to it now.

President KELLY—The question now comes on the granting of the license. All those in favor say "aye," those opposed "no," and it is ordered.

VOLUNTEER HOSPITAL SERVICE BY CITY EMPLOYEES.

Coun. SCANNELL offered the following:

Ordered, That his Honor the Mayor be requested to ask city employees, both male and female, to volunteer their services a few hours each day or night in alleviating conditions at the City Hospital; also that his Honor the Mayor and trustees of the hospital make an all-out effort to bring back all the nurses who have left the institution and to do everything possible to restore the School of Nursing to its former high standard.

Coun. SCANNELL—Mr. President, from a message from his Honor the Mayor in the past week, at least it would seem we are starting to do something about conditions in the City Hospital where the trustees and the Mayor have O. K.'d a \$600 pay rise which was initiated by the members of the City Council who know of the conditions at this institution. I think it is a step further ahead to alleviate the conditions at that institution which, God knows, are really deplorable. Anybody who goes into that institution as I have in the past six or seven years and who sees it degraded the way it is through lack of help would certainly do everything possible to see that the City Hospital does not become a ghost hospital as it may be if these conditions continue to exist. We have a number of female employees in the city, such as school teachers and library workers who, through their charity, should give so many hours a day or night to see if they can help some of the conditions at that institution because, after all, that hospital is theirs, and it is mine. If there is any charity in the hearts of city employees, I think they should use it at this institution. We are on the right track now; at least, the trustees of the hospital are listening to men who know the conditions at that hospital, and we have trustees who have a little guts to listen. Some have not, I am sorry to admit, but as far as I am concerned, I am going to work, and work hard to see that conditions at this institution are improved. I don't see any reason why the Mayor should not request some of the school teachers or the employees at the Hall here to go up there to see if they can help some of the nurses do the work. I am going to try to contact every nurse who has left the hospital in the past year and a half and ask them to come back for the sake of that hospital. It is a great institution, and big men come here to give their services three or four hours a day. Some of the doctors and surgeons of this city are some of the biggest men we have, and they come in and give their services, so I think at least the city employees or anybody who has any charity in his heart for the sick and the poor who mostly go to that hospital, I say they should give a couple of hours a day. Getting back to the School of Nursing, this is the situation: There has to be a lot of study on it. I think there should be some changes made at that hospital as far as the School of Nursing is concerned. The heads of the School of Nursing have let the School of Nursing go down into a deplorable condition, and that is why the School of Nursing today is in a very bad way. I think if we had contributions of money or an appropriation or an all-out drive for that great institution, we might get some place with it. Now, as I said before, gentlemen, we are getting a little cooperation. We are getting at least to see that these men who had been lacking in business sense and saying "We cannot spend this and that," are interested; they are starting to get interested in the hospital. I dare say I could say some things on this floor today which would make you shudder at the conditions at the hospital. Can you imagine people going four or five or six days without having their beds changed? Poor old people 12 or 14 people in a little small room and probably 30 in another big ward with one nurse trying to take care of them. These conditions cannot go on. I think it is up to each and every one of us to see that at least some of these people get taken care of. Today at the City Hospital there is only one thing a nurse can do, and that is to give medication and give a diet. Can you imagine a poor soul operated on at the hospital, the operation is a success, but when they come down, they just lie in their beds, and I have seen them there dying, one, two or three, without any assistance from any nurse. They are trying to take care of people who might get well. These are conditions that can be alleviated by cooperation. We have thousands of employees in the city, and the teachers get through, some at 2.30 in the afternoon. It wouldn't be

much for them to get up there for two or three or four hours a day to help. If they have any charity in their hearts, they can help in one way or another. I know I have done everything possible to see what we can do to help that institution, and I maintain if we do not do something from now on, that hospital will be nothing but a shambles, a ghost hospital. As far as the nursing situation is concerned, that is going to be improved, but if we can give those nurses aid by having the Mayor ask that the male and female employees go up there to assist them for a couple of hours a day, it would be a great help. In the meantime, the trustees of the hospital and the head of the School of Nursing and the supervisors will get together and see if they cannot have an all-out drive to bring back the School of Nursing to what it has been in the past years. It has gone down to a very low ebb. I say this today, that some of the big colleges in this country in the next year won't send men internes to that hospital if the conditions do not improve. I think it is through the work of the members of this Council that this condition has been brought to the attention at least of some of the new trustees at that hospital who have the hospital at heart and nothing else. I know we have trustees up there we can't talk to, and I say if we cannot talk to these trustees let us get rid of them. I know there was one trustee who, although he might be a great doctor, is not a good executive. I know one man up there who said a nurse who was getting \$1,600 a year was getting enough. That is not the type of man we want at that institution. He might be a good doctor, so let him take care of the doctor's end of the hospital, but let us put men who are humanitarians as trustees in the executive end of it to run it. I think we are on the way to do a good job at the institution, and I think we are forging ahead a little bit. It was through the cooperation of what was presented here that they were forced—not forced, but at least they concurred with our order. Things are better up there. I think we might have an all-out campaign to contribute money to build a School of Nursing and to bring back the nurses. I think we are doing a good job. I move the suspension of the rules and the passage of the order.

Coun. LINEHAN—I read an article this week in reference to a committee hearing at which Dr. Frank Lahey of the Labey Clinic spoke relative to the training of nurses. To me it was very illuminating. I remember during the past eight or ten years I have been in politics, on many occasions I went to the School of Nursing and also to Dr. Manary, asking to intercede for this person or that person to go into training in the City Hospital to be a nurse. In most cases I found we were unable to get the girl in, due to the fact that she did not have a high school education or its equivalent. At this meeting Dr. Frank Lahey said that it was about time we had less emphasis on education and more emphasis on taking care of the sick. I think up to this time the great handicap is due to the fact that we have been too fussy relative to educational requirements. I think it is about time we let people into our nursing school who, due to no fault of their own, have not sufficient education to meet the present requirements set up but who have a heart and want to treat the patients who are suffering because of lack of hospital care in the Boston City Hospital. I might say Dr. Frank Lahey is positively one of the finest surgeons of the world. He is recognized as such, and if a gentleman like that says you don't necessarily need people with a great education, but need people who like people, people who will treat the sick, that is what he is interested in. If Dr. Frank Lahey says that, that is the kind we need, and I think it is about time the trustees adopt a program where a poor girl who has not had sufficient education to meet the requirements now be admitted to the School of Nursing so that we will have sufficient to take care of the sick four or five years from now.

Coun. SCANNELL—Another word on the order, Mr. President. I have some statistics here in regard to the teachers in Boston. There are 3,853 teachers in Boston. These teachers do a good day's work, I grant you that, but, as I said before, if there is only 15 per cent of them who would get together, if they have any consideration for the welfare of the sick people in this city, to help or volunteer at the hospital, they would be doing a good job and, furthermore, Mr. President, might I say, we have a lot of trained nurses in the Health Department who are visiting nurses. I think it could be arranged by the Mayor to see that these

nurses could go into the hospital four hours and be out four hours, making a full day of it, to see if we cannot take care of the institution and the people in that institution. If we do not do something about it and do it right quick, then, as I said before, it is going to be a ghost hospital. You heard the trustees of the hospital and Dr. Manary say they will take nothing but emergency cases. God knows, I can't understand how he is going to take care of the people there at the present time if he is going to take care of emergency cases going in there. Again I would like to say I think the teachers of the city can contribute greatly to the welfare of some of the poor sick people at the hospital, and they certainly will contribute a great deal to this city if they will spend a few hours a day at the institution.

The order was passed under suspension of the rule.

STATUS OF PATRICK J. O'ROURKE.

Coun. KELLY offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation entitled "An Act Relative to the Status of Patrick J. O'Rourke as a Member of the Police Department of the City of Boston." Said Patrick J. O'Rourke being a member of the Police Department of the City of Boston who was reinstated therein, under chapter 141 of the Acts of 1938, shall be entitled to all rights and privileges of membership in said department to the extent as if his term of service had not been interrupted during the period prior to his reinstatement as aforesaid; and further, that this Act shall take effect upon its passage by the Legislature, provided that such legislation includes a referendum to the Mayor and the City Council.

Passed under suspension of the rule.

SALARY OF CITY TREASURER.

Coun. SCANNELL offered the following:

Ordered, That his Honor the Mayor be requested to increase the salary of the City Treasurer so that he will receive the same amount as the City Auditor.

Passed under suspension of the rule.

CLEARING OF STREETS OF ICE AND SNOW.

Coun. RUSSO offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to clear all streets of the City of Boston and in particular the streets of Ward 3 of all ice and snow that has been accumulated since the last snow-storm.

Coun. RUSSO—Mr. President, I believe this is the third order I have put in this Council making the same request since the last snowfall we had in our city. I believe that if we look back in the record it would show that I have never been opposed to any expenditure that will give a child or a person the opportunity for higher education or proper education. Neither have I opposed any expenditures that would bring about the elimination of bazards contributing to the loss of lives or injuries. Neither have I opposed expenditure for anyone who needs medical attention in any of our institutions. But, lo and behold, Mr. President, it seems to me by reading some of the newspapers of our city and by seeing some of the pictures taken and printed in our newspapers, we give the impression that God Almighty above put a canopy over the rest of the city or the state and left the poor North End alone when this last snowfall came about. I don't know, Mr. President, where the fault lies. However, I do agree with some of the people who have made complaints, and I sympathize with them very heartily. Some of them have stated they have small children and, naturally, I know what it means to have small children and to have them walk in the streets of our city in the condition they have been in the last few weeks. I certainly sympathize with the motorists on the condition of the streets that have brought about broken springs and other things, because, thank God, I am able to have an automobile and I drive through the streets. Only ten days ago I had to spend \$146 for that. I don't

know, Mr. President, where the fault lies, whether it lies with his Honor the Mayor or whether it may lie with the Public Works Commissioner, or whether it may lie with the men who are working for the City of Boston. But I maintain if it is economy, if it lies on economy, I say it is false economy. I believe that the streets of our City of Boston should be cleared of all ice and snow, and I believe it is unfair for any newspaper or any one to single out one particular section of our city to try to impress upon the public that there was a canopy lifted up on the rest of the city when the snow fell and left the poor North End with all its burden. I sympathize, Mr. President, with the people over there because of the fact that we do have narrow streets, and again I come back to when are we going to build the City of Boston. The only way you can build the City of Boston is by the elimination of such streets which to my mind are still cowpaths. I do hope that his Honor the Mayor will do everything within his power to see to it that the ice and snow is removed, especially now when we have been blessed by God above with some rain. It will not be too difficult to take away from the streets the snow and ice that has accumulated there. By doing that, I believe that we will be eliminating the accidents that have mounted in the past few weeks and we will be preserving the health and the limbs of others. So, Mr. President, I do hope that the Public Works Commissioner and his Honor the Mayor will see to it that these streets are cleared of ice and snow, and also again I reiterate that property owners ought also to be instructed by the Police Department to clear their sidewalks, and especially some of the garages and some of the real estate that they never clear; their sidewalks are always covered with ice. I strongly urge the Police Department to take notice.

The order was passed under suspension of the rule.

TAKING OF EASEMENT BY METROPOLITAN DISTRICT COMMISSION.

Coun. FISH offered the following:

Whereas, The Metropolitan District Commission on the ninth day of January, 1947, did take certain rights and easements referred to and described in an order of taking, a copy of which has been submitted, which land 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), Taking of easement for drain east of Tenean Street near Pope's Hill Bridge, . . . October 30, 1946, Benj. R. Davis, Director of Park Engineering," being plan accession number 27405-V.T.;

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 Executive Committee.

PAYMENT OF SALARIED EMPLOYEES FOR OVERTIME.

Coun. McCORMACK offered the following:

Ordered, That the Public Works Commissioner be directed, through his Honor the Mayor, to include sufficient funds in this year's budget to pay salaried employees for overtime work.

Coun. CAREY—Speaking on Councilor McCormack's order. I had in mind introducing a similar order today, Mr. President, so I want to congratulate the councilor from Ward 19 on his introduction of it. I have had several complaints recently, particularly regarding men who worked all day Sunday in the last ten days, and from a man in my district who worked Saturday night, worked through all day Sunday as well as Sunday night, and was simply told by his boss he would get time off. I have had this matter before the Council many times, and it has well been brought out by members of the Council and myself that it does the average city employee no good whatsoever to get time off during the winter months to compensate him for extra work and extra hours spent at his job. Where in the name of heaven can the average city employee go in the wintertime on that

time off? He can do nothing but stay at home and twiddle his fingers. There is only one fair way to handle the situation, and that is by paying these men for the extra time they put in, and paying them at the rate of time and a half as most laboring people are paid. I can't understand the obstinacy on the part of the city or of department heads—where it seems to me to be the fault. If a man gives up the companionship of home and family for a stretch of 24 hours or 18 hours or 14 hours, whatever it might be, to see the city function, and I have in mind an engineer in the employ of the city who, if he walked off the job, God knows what might happen to the city plant, and all the boss says is, "I will give you the time off." Compensate the men who stand by and do the work. The city should stand by him and compensate him at the rate of time and a half for the extra hours he puts into his work.

Coun. KINSELLA—Mr. President, I think that is a very worthy order. Just recently, on one of the cold nights we had, I observed the city men and the contractors under the guidance of Mr. Malloy of the local yard in Charlestown remove snow. I called Mr. Malloy upstairs and asked him if he wanted a cup of coffee. He said no, and I don't think anything would have done him any good. He was white and blue by turns with cold. I said, "What do you get for this, Joe?" He said, "Only my hire and a dollar every four hours for meals." Twenty-five cents an hour spent to see the city money is wisely and properly spent! It is rather late in the day to think of a legislative act; and I don't think we can do it by any other means, but there are several things that are faulty in the manner in which we pay our city employees, and I am speaking now of the men who die at a time when they have not exhausted the leave they accumulated and which they had not taken at the time of death. The rule has been that time dies with him, so the heirs in many instances, a wife and children, cannot be paid at the daily rate of pay for the number of days accumulated which were not taken when death set in. It has been ruled the accumulated time dies with the person who has it. I have been informed that legislative action is the only way by which those situations can be corrected. Councilor McCormack is to be commended for thinking of his fellows. It does not mean some of us do not think about them, but some of the older men are tired of putting in seasonal orders, year after year, and finding nothing can prevail. Now, if it is a matter of legislative action, we should ask that the Mayor instruct the Law Department to draw legislation designed to enable the City of Boston, regardless of what other cities and towns may do, to pay salaried employees for overtime. A laborer or a truck driver is paid after eight hours, but a salaried man may work until one or two o'clock in the morning after half-past four in the afternoon when his day normally ends, but for that eight-hour period receives \$2, which, as I said at the outset, is a dollar every four hours for his meals. I think what we are actually doing is welshing on our obligations to the men who have over long periods of years because of their ability become members of the supervisory force of the city. Because we do have a fairly reasonable salary for supervisors, we should not stint in the matter of decent overtime money. I hope, Mr. President, that the order has some effect downstairs on Mayor Curley and that he will initiate the necessary steps towards the proper payment of these men who in my opinion are worthy of this consideration and have proven their worthiness in public actions in the past in watching the welfare of the city when the rest of us are safely home, warm and comfortable, and enjoying the fruits of their efforts.

Coun. CAREY—Mr. President, it will necessitate an act of the Legislature. I move the order of Councilor McCormack be worded to that effect.

President KELLY—The Chair will rule it does not require an act of the Legislature. The order is in good form.

The order was passed under suspension of the rule.

PURCHASE OF LAND ON BRUCE STREET FOR PLAYGROUND.

Coun. BRYAN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to consider the possibility of purchasing the lot of

land adjoining the present accepted location for a small playground on Bruce street, the lot having 7,417 square feet.

Passed under suspension of the rule.

MOTION TO ABOLISH SPECIAL COMMITTEE ON MILITARY AFFAIRS.

Coun. BAYLEY—Mr. President, I move the Special Committee on Military Affairs be abolished.

President KELLY—Councillor Bayley moves the special committee on Military Affairs be abolished. All those in favor please rise. It is not a vote.

NAMING OF MISSION HILL VETERANS MEMORIAL CIRCLE.

Coun. CAREY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to resurface the island which is located on Huntington avenue, at the intersection of Francis street, with colored flagstones and to provide a flagpole and new benches thereon; and be it further:

Ordered, That this island be named Mission Hill Veterans Memorial Circle.

Passed under suspension of the rules.

CONSTRUCTION OF UNDERPASS ON HUNTINGTON AVENUE.

Coun. CAREY offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to draft a bill for presentation to the Legislature providing for the construction of an underpass on Huntington avenue, from Longwood avenue to the Brookline Line.

Coun. CAREY—Mr. President, I realize perhaps that is a large order, but something has to be done to safeguard the life of pedestrians and to expedite the flow of traffic on Huntington avenue. As we all know, Huntington avenue now has become nothing but a state highway from the Brookline Line right into the intersection of Boylston street. I have asked this underpass be considered from Longwood avenue to the Brookline Line, principally having in mind the dangers to life and limb which exist because of the large amount of vehicular traffic which moves along Huntington avenue. We have Teachers College at the corner of Longwood and Huntington. Further up the street on Huntington avenue we have the Martin School. Further along we have the Peter Bent Brigham Hospital, and a little further along Huntington avenue we have the Farragut School. Along with that, we have thousands of people, parishioners of the Mission Church, who must cross Huntington avenue in getting from that area on the western side of Huntington avenue to the Mission Church. We have a sum total of thousands and thousands of people who traverse Huntington avenue daily and during the night on foot with no protection. There have been numerous accidents there, and something must be done. I fully realize this will cost money; nevertheless, we are hearing nothing nowadays but what must be done and what can be done to improve the flow of traffic throughout the city. If anyone visits the Huntington avenue section any time of the day, from half-past seven in the morning until eleven o'clock at night, they will observe a constant flow of heavy traffic along the avenue. In the first place, the lives of pedestrians must be protected. In the second place, there are unnecessary traffic tie-ups along Huntington avenue in that section because of the intersection of Brigham Circle and the various streets along the highway. I believe the town of Brookline is considering some underpass from the Brookline Line along Boylston street in order to eliminate the traffic delays. But something must be done within the City of Boston itself. I sincerely hope the Mayor will give to this order the attention I feel it deserves. I have been besetted by the residents of the district to do something to eliminate the dangers to the pedestrians, and I think this is the best way to eliminate the present situation. Traffic lights and traffic circles will do no good. Something has to be done to get most of these

automobiles off the surface that the traveling public must use. I therefore move the suspension of the rule and the passage of this order.

The order was passed under suspension of the rule.

INFORMATION RE TAX ABATEMENTS.

Coun. CHASE offered the following:

Ordered, That the Board of Assessors be requested through his Honor the Mayor to promptly submit a list of the names and addresses and amounts of tax abatements over \$20,000 granted for the year 1946.

Coun. CHASE—Mr. President, in the near future, sir, his Honor the Mayor will be submitting the annual municipal budget which will probably approach close to \$50,000,000. I feel, Mr. President, in view of our task of either paring the budget or passing it, we are entitled to all information which directly or indirectly causes the city to spend so many millions of dollars, and directly and indirectly causes the taxes. Mr. President, we know this year there will be a tremendous increase in the tax rate, and I think, sir, the property owners throughout the city are entitled to all the information they can receive pertaining to the management of their city government because, Mr. President, they are the ones who are paying for the cost of service rendered by the municipal government. I say to you, sir, that the small home owner in West Roxbury or Hyde Park or Jamaica Plain, or in the Back Bay, in every ward of the city, will be confronted this year probably with paying \$6 or \$7 additional to the city treasury because his Honor the Mayor has seen fit to grant million-dollar abatements. Mr. President, do the members of your Council realize that if the Board of Assessors are granting anywhere from \$20,000,000 to \$30,000,000 annually in tax abatements that those abatements reflect in your taxes, probably \$6 or \$7 to the small home owner in the city. Somebody might get a \$40,000 cut on his assessment but your small home owner and other taxpayers are called upon to make up the deficit caused by that abatement. So, Mr. President, due to the fact that other taxpayers are called upon to make up these deficits, I think that the taxpayers paying the taxes for such deficits are entitled to know what is going on behind the curtain. You and I don't know, Mr. President, what is going on in the Board of Assessors. Yet, sir, we are part of the city government. I think, sir, in view of the fact that several months ago we passed an order asking his Honor the Mayor to submit to us all the abatements over \$20,000 granted for the year 1946 and in view of the fact that list has not to date been submitted to us, I am justified in again requesting that information. I don't know what his Honor the Mayor proposes to do in assessing the various properties in our city this year but, sir, I do recall last year he made a big hullabaloo about the underassessed valuations of properties in the downtown area. We all know he caused to be printed because of his news releases big stories in the various newspapers telling the taxpaying public in general that all the downtown property had been underassessed and that he had caused big increases amounting to millions of dollars. But we do know, sir, in many cases for the year 1946 his Honor the Mayor has seen fit to grant tremendous abatements on the very properties which he said last year were underassessed. Now, sir, there are rumors throughout the Hall from different people that large abatements have been granted this year. I understand, sir, that there is a petition for an abatement of 2½ million dollars. That, sir, means somebody is going to get \$90,000 return on his taxes. That means, sir, other taxpayers in the city will be called upon to make up the difference of that \$90,000. God only knows how many of these tremendous abatements are going on. We are not given any record but probably three or four years from now the public at large will be enlightened. In the meantime, sir, a select few are able somehow to reach his Honor the Mayor and the Board of Assessors and convince them their taxes are too high, that their property is overassessed, that their property should be given an abatement. Personally, I feel, sir, in most cases abatements granted by his Honor the Mayor and the Board of Assessors are unjustified, and many of them would stand an investigation by the Boston Finance Commission. I believe, sir, if we had the record here before us today, we

would find many millions of dollars granted in tax abatements. It is one of the most lucrative pieces of graft in municipal government, to grant abatements. The boys who are in are the boys who are making tremendous sums of money at the cost of smaller taxpayers and all taxpayers in general. I know, sir, that your Honorable Body will agree with me that the public at large is entitled to a true picture of what is going on in the Board of Assessors' office, and I trust, sir, the Council will adopt the order under the suspension of rules, and I so move.

Coun. LINEHAN—Mr. President, will he please give me the gist of the order, or he might answer, is it relative to the publication of a list of tax abatements?

President KELLY—Will you repeat the question?

Coun. LINEHAN—If the clerk will please read the order.

President KELLY—The clerk will please read the order.

(The order is read.)

Coun. LINEHAN—Mr. President, I would like to ask the clerk, through you, is there anything in the City Charter which shows the City Council has the right to demand such figures of the members of the Board of Assessors? I looked at the City Charter but I can't see it.

President KELLY—There is nothing in the City Charter. The order is not demanding the information; it is a request, and they can do as they see fit.

Coun. COOK—I would like to inform the councilor it is against the law to demand it. If the man refuses, there is nothing in the law that may be called into effect to force him to show these figures.

President KELLY—The Chair feels the same way, but it is a request, councilor.

Coun. SULLIVAN—Mr. President, I move that it be amended by including the year 1945.

President KELLY—Councilor Sullivan moves the order be amended to include the year 1945.

Coun. KEENAN—May I have the order read, Mr. President?

President KELLY—The clerk will read the order.

(The order is read.)

The question came on the amendment, and the amendment to include the year 1945 was adopted.

President KELLY—The question now comes on the order with the amendment.

The order as amended was passed under suspension of the rule.

RECESS.

On motion of Councilor Sullivan, the Council voted at 4.35 to take a recess, subject to the call of the Chair. The members reassembled and were called to order by Chairman Kelly at 6.12 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order (referred today) concurring with Metropolitan District Commission in taking of easement for drain east of Tenean street near Popes Hill bridge—that same ought to pass.

The report was accepted and the order was passed, yeas 15, nays 0.

Yeas—Councilor Bryan, Cantwell, Carey, Chase, Cook, Fish, Hannon, Hurley, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo—15.

Nays—0.

BOSTON WATERWAYS, INC., PETITION.

Coun. LINEHAN—Mr. President, a point of information.

President KELLY—State your point of inquiry, Councilor Linehan.

Coun. LINEHAN—Mr. President, at this time I would like to make a point of parliamentary inquiry.

President KELLY—State your point of parliamentary inquiry.

Coun. LINEHAN—I was wondering how many votes it would require on a measure on the petition of the Boston Waterways. I am asking this question due to the fact that the gentleman who is trying to get this license is agreeable to \$10,000

per person with reference to liability. That is the reason why I am asking how many votes. I make that motion, that it be increased to \$10,000 per person.

President KELLY—I am informed, councilor—

Coun. LINEHAN—A further point of parliamentary inquiry. Could we adjourn for two minutes to have the Executive Committee act on the question with the proviso of the \$10,000 amendment on it?

President KELLY—I don't think we could, councilor. A motion would be in order to take it from the Executive Committee.

Coun. LINEHAN—How many votes do you need?

President KELLY—Fifteen votes.

Coun. COOK—Mr. President.

President KELLY—Wait a minute until I clear my own mind. I am wrong, councilor. It will take 12 votes to remove it from the Executive Session.

Coun. LINEHAN—I now make that motion, Mr. President, with the understanding that I will make a motion to increase the policy to \$10,000 per person and ten times the number twenty-one.

President KELLY—Councilor Linehan makes the motion that it be taken from the Executive Session with the proviso he will increase that to \$210,000. Councilor Sullivan.

Coun. SULLIVAN—Mr. President, where it has been laid on the Executive table for a specified time of one week, can it be taken from the Executive Committee at this time?

President KELLY—That is up to the Body, councilor. They can take it from the Executive Committee on 12 votes. Councilor Cook.

Coun. COOK—I think when an order has been referred to the committee and has been there a certain length of time, 30 days, it does not take 12 votes but the majority vote of the Council. I would like that clarified.

President KELLY—Just a minute. Fifteen votes within 30 days and 12 votes over 30 days, the majority vote.

Coun. LINEHAN—Mr. President, to clear up the matter, I can always make the motion we recess for the purpose of going into Executive.

President KELLY—Just one minute, councilor. I am ruling on that motion. Yes, it is a majority vote, which would be 12 votes. Councilor Russo.

Coun. RUSSO—Mr. President, I wish the Council would not act on this favorably at this time, due to the fact that, as I stated in the Executive Meeting, it will be an unfair attack on the councilor in the district where this waterway would be. Not being present, I believe that we would not be treating our fellow member right by trying to rush this through today without giving him an opportunity to express himself either one way or the other. I believe that we owe ourselves some courtesy so that we may be able to explain to our constituents that if a member is not present and something affects his district it is not fair for the Council to take such action without giving him an opportunity to be recorded one way or the other. On that I am asking each and every one of you this because I know if it was in my district I would resent it, and I am sure if it was in any one of your districts and any one of you could not be here, if a motion of that kind was entertained and passed, I believe it would be an injustice to yourself. Place yourself in the same position that Councilor Coffey is in at the present time. I don't care how he feels about it. I don't care how you vote when he is present, but I do care to protect his interests as a fellow member while he is not here in this meeting. I believe we ought to pay him that courtesy, to postpone it for one week, when we have agreed in the Executive Session to lay it over for one week so that he will be given an opportunity to come in and be heard. On that I am asking each and every one to treat him as you would want to be treated if it was in your own district.

Coun. LINEHAN—Mr. President, I made this motion due to the fact that it seemed the majority of the people who voted to keep it on the table inside, the majority, it seemed to me, wanted the insurance policy upped another \$5,000. One wanted under \$10,000, but he did make a motion along with the gentleman from Charlestown, and I am not sure who the other gentleman was, to make it \$10,000 per person, \$210,000. It is all right to talk about courtesy to one another, but the gentleman from East Boston was here last week. If he is not here today, it certainly is not a

responsibility of ours. I think we owe a responsibility to the people who come before us. If we don't act faster on matters that come before us, it is not going to help us as a Body. Is it a question of whether we are going to consider the Body or just one member? This is not a vital matter which affects his district alone but to my way of thinking it helps his district because it takes automobiles away from East Boston. If I was from East Boston, that is the reason I would vote for it, because it means less automobiles on the streets. I don't think the gentleman from Ward 3 (Councillor Russo) has given a good argument. The question is, shall we or shall we not give a license to a gentleman who is trying to start a business that nobody else has the courage to start? I think he has started off with a very good start when he agrees to the \$10,000 per passenger. The gentleman is in here and he has agreed to it, and I thought that was what the Council was interested in. For the life of me, I can't understand why every councillor should not agree. I agree the gentleman from Roxbury has a good argument with reference to the tax. To my way of thinking, if he had a lot of his district opposed, he should properly vote against it, but I have not had one come before me, not one, so I have to use my own discretion and my own God-given intelligence, what little it is. It seems to me this is for the best interests of the city and for the taxpayers and the community as a whole and also the people of East Boston whose children will have a few less automobiles to contend with on the streets. I say the more cabs we take off the streets of East Boston and other streets, the better off we will be as far as traffic is concerned.

President KELLY—The Chair will make a statement. As I understand, Councillor Coffey of Ward 1 has pleurisy and that is why he is not able to attend this meeting. Councillor Russo.

Coun. RUSSO—Mr. President, I would like to remind the councillor from Ward 7 (Councillor Linehan) that on the petition for a license it specifically states that he has taken sufficient time to start this operation by stating if it is not in operation within one year then the license will be void. I don't know, Mr. President, what another week's delay is going to do in regard to the operation of this waterway. I am not taking the position, Mr. President, in the statement I made that I am for it or against it. I still have an open mind but I do resent the fact, Mr. President, when any one councillor is not here to act on a matter vital to his district. I respect his opinion in so far as he is concerned, but I do think we should state the councillor from Ward 1 should vote in the affirmative because it is for the best interests of his district. I believe that is primarily the jurisdiction of each councillor, to cast his vote one way or the other. I say to you, Mr. President, and to you members, that I earnestly believe we owe a certain amount of courtesy to each other and respect to each other. As far as I am concerned, it is not any motive of delay because I am ready to cast my vote one way or the other, and I have never been afraid to cast my vote one way or the other, but I do feel that if this is forced upon me to vote today I cannot give a justified vote, because I feel it would be doing an injustice to one of my colleagues to whom I owe a certain amount of respect at least. Let him be here and let him be heard, and let him cast his vote one way or the other. Mr. President, if it comes on the floor today I am forced and compelled to vote against it.

President KELLY—The question comes on taking the matter from the Executive Session. Councillor Cook.

Coun. COOK—Mr. President, the hour is late, and I would like to point out in Executive we had a majority of the councillors defeat the motion that would have been the end of the license; a discussion was had about a \$10,000 insurance policy per passenger, \$210,000 for accident, and I think, if it had come up before, it would have passed. The answer to the argument of a week's delay not being important is this: The one obtaining the license must give orders for his boats to be built, and anyone here who has been in business and giving orders for certain materials and equipment knows the longer you delay the more difficulty you may have in getting going in your business. I am of the opinion the councillor in that district should have the respect and backing of the Council when it comes to a matter within his district, but I don't think this comes within the province of any single district in this city.

Coun. RUSSO—Mr. President, will he yield for a question?

Coun. COOK—Yes.

Coun. RUSSO—Councillor, do you recall the statement made by the petitioner, when he would have in operation this waterways service, what month? Did he state how long it would take to have the boats built, councillor?

Coun. COOK—Councillor, my best memory seems to be he said he would have it done in two or three months, when he got the license. Before he can get them ready, he has to have a license so that he can order the boats and get ready for the business. I don't care to yield any more.

Coun. RUSSO—That is not answering the question.

President KELLY—Councillor Cook.

Coun. COOK—I am sorry if I did not answer the question. I thought I did. If it does not satisfy the councillor, that is my misfortune.

Coun. RUSSO—It is all right if you don't want to yield.

Coun. COOK—I want to close by saying we ought to vote on this now as a matter affecting all Citizens in Boston and not particularly one district.

Coun. CAREY—Mr. President, all I wanted to say was I think the gentleman from Ward 3 (Councillor Russo) would be right if we were voting on something which would affect that district alone. I don't know that Councillor Coffey has voted against any bus line in the past. This will take traffic away from his district, as a matter of fact.

President KELLY—The question comes on taking this from the Executive Session. All those in favor please rise. It is not a vote.

Coun. LINEHAN—Mr. President, I now move we go into Executive Session.

Coun. RUSSO—A point of order.

President KELLY—Will the councillor please state his point of order?

Coun. RUSSO—Was the gentleman recognized by the Chair before he made that motion?

Coun. LINEHAN—Yes, I was.

President KELLY—Yes, I recognized Councillor Linehan. Councillor Linehan moves we go into Executive Session.

Coun. BRYAN—Mr. President.

President KELLY—Councillor Bryan.

Coun. BRYAN—Will the President please ring the bell for everybody to be here?

President KELLY—Everybody is here. Talking on the motion, Councillor Russo.

Coun. RUSSO—Are we delaying this call?

President KELLY—I am ringing the bell to see if any more councillors are coming. Everybody is present. Councillor Russo.

Coun. RUSSO—Mr. President, a point of order.

President KELLY—Will you state your point of order, Councillor Russo?

Coun. RUSSO—Are we now in Executive?

President KELLY—No, sir. Councillor Linehan has made a motion to go into Executive Session. Talking on the motion, Councillor Russo.

Coun. RUSSO—As I stated before, there is no intent on my part to try to delay either the passage or the rejection of this petition for a license for the Waterways, Inc. It is not that I am opposed to the \$10,000 insurance for every passenger who will ride the waterways, or to the \$210,000 insurance in one action. It is merely because, Mr. President, as I stated before, I don't believe we as members should take it upon ourselves to justify the vote one way or the other of a councillor who is not present. I believe that should be left to the councillor himself to decide, and if he were here I would be very glad to entertain the motion to pass it or reject it. I will cast my vote accordingly. I feel that it is unfair to any one of us if he is not here. It would be unfair today while Councillor Bayley is not present if there was a certain order in a certain committee which would affect his district; it would be unfair and I would have to speak in the same tone and in the same manner in regard to Councillor Bayley if he were not here.

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

President KELLY—Will Councillor Russo yield for a question?

Coun. RUSSO—Yes.

Coun. LINEHAN—I would like to ask you, if I refuse to vote on this matter, would you vote on it in order to make up the lack of Councillor Coffey's vote in Executive Session?

Coun. RUSSO—Will you state that again? I don't understand that question.

Coun. LINEHAN—I will refrain from voting in the Executive Session on this matter if you will vote on it, to make up the loss of Councilor Coffey's vote, who I think might be against it from the way you are talking.

Coun. RUSSO—Mr. President.

Coun. LINEHAN—Would that satisfy your desire?

Coun. RUSSO—It would not satisfy my desire because I would be casting a vote not knowing what the councilor feels one way or the other and not giving him an opportunity to say how he feels. I say at least I owe that respect to him to have him express himself one way or the other, and then I am ready to cast my vote one way or the other. That does not mean regardless of how he votes that I can't vote against his wishes.

President KELLY—The motion is to refer this matter to the Executive Session. The motion is to go into Executive Session. Speaking on the motion, Councilor Hurley.

Coun. HURLEY—I thought it was agreed as a result of Councilor Russo's talk about the councilor from the East Boston district, one of the terminals where this Waterways Company is going to land in his ward. I thought it was agreed it was an act of courtesy to lay this on the table for a week to give him the right to come in here and express his opinion how he and the people in his district felt about this thing. This is an unusual procedure here today, to come in here after agreeing to lay it on the table for a week and ask to have it taken from Executive Session, and then when they have not got the vote to take it from Executive Session, and move to go back where a majority can report it out. I don't think it is fair, and I think that the councilor was very unsportsmanlike after that proposition put up by Councilor Russo. They will come out here on the floor and through some trick of parliamentary procedure defeat the purpose, which was to lay it on the table.

Coun. LINEHAN—Will the gentleman yield for a question?

President KELLY—Does Councilor Hurley yield?

Coun. LINEHAN—Does the gentleman from Roxbury remember how legitimately a member got up and voted to lay a matter on the table when they did not have sufficient votes when they came up on the floor? Nobody said that was a twist of parliamentary procedure.

Coun. HURLEY—There is a different procedure operating here today. There was an agreement as the result of the statement of the councilor from Ward 3 in deference, as he thought, to the wishes of the councilor from Ward 1, that is anything pertaining to our district it is better to state our opinion on it, either for or against it. I thought when that vote was placed it was placed as a result of Councilor Russo's plea to let this lie on the table. It was not going to hurt anyone, and one week was not going to hurt the petitioner. When we come out here in the Chamber, we find out there is a new parliamentary twist to throw it back in Executive and come up with a majority of votes. Probably that is the right way to do it. I don't know, but I don't think it is right, and I don't think it is fair and just. If it was a matter pertaining to my district, I would want to be present. I can well remember the past couple of weeks when the Governor's fight was in full swing, every cab I got into, the driver said, "Tobin is this, that or the other thing. He was a son of a gun," and a lot worse. I never solicited their advice as to whether he was depriving them of work at the airport. I say we are depriving the taxi drivers of work, and they are the greatest political workers in the entire city. You have to give them credit for that. If a cab driver is hurt, he makes sure everyone in his district will know he has been wronged. I think it is only fair, Mr. President, with all these things in mind and especially the plea made by Councilor Russo that this matter lay over for a week. I hope, Mr. President, that the members will not vote to go back into Executive.

Coun. CANTWELL—Mr. President, I have listened to this petition and certainly Councilor Coffey has had plenty of opportunity to make up his mind one way or the other. As I remember, Councilor Coffey was not here last week, he is not here this week, and what assurance have we he will be here next week. This thing is getting to be a joke. It is about time we got to business.

When somebody is out sick, are we going to close the door? Let us get wise to ourselves and vote now one way or the other, either pass it or throw it out.

Coun. KINSELLA—Mr. President, I quite agree that this is not strictly a Ward 1 matter, but I am also mindful, too, of the fact that among such a small number as 22 men it should be comparatively easy for the 21 to defer to the wishes of one. I don't want to take a scab off of a sore, but I can recite instances where a councilor was thought to be so lacking in integrity and so lacking in his appeal to his fellow councilors that in spite of his wishes they did something that worked a hardship either politically or personally. They had scanty, if any, consideration for his feelings in the matter, and I will leave it to the judgment of the members of the Body, 22 of us, that the satisfaction of your pride has as much to do as the satisfaction of material wishes. By that elaboration I mean only this: I recognize that East Boston is one small part of the city, but I would not want Coffey or any other member of this Body—and I could name any one, including myself—I would not want the sting and scorn of the action of fellow members. I had to feel it when it hurt the most, and though I was present in the Chamber that did not lessen the blow. Now, he is absent. In all likelihood he would oppose it, and I am not putting words in his mouth or ideas into his head; but let him say, let him say so for the record, and if by some change of heart he wants to support it, let him say so himself. I don't know from a practical business point of view how this line would pan out. I have in mind that there was a speedboat service across the harbor from Congress street or some one of the bridges down there some years back when the air service was just beginning to catch on, so to speak, in Boston. It is obvious a permit must have been issued to the operators of that speedboat service at that time. Since there is no councilor here now who was in the Body when that line was operating, I would very much like to ask the assistance of the City Clerk through you, Mr. President, if he was then in the clerk's office, and, if he was, can he tell this Body something about the conditions that governed the permit of that old speedboat line in the days when the airport was coming into being?

President KELLY—He was not in office at that time, councilor.

Coun. KINSELLA—I believe if he were he might give us valuable information. Proportionately the line should be just as profitable now as then. It is not so much the people who are using it, because to handle all the extra people the investment must be greater.

Coun. SCANNELL—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. SCANNELL—For the purpose of giving the gentleman from Ward 2 information.

President KELLY—Will you yield to Councilor Scannell?

Coun. KINSELLA—I will yield if he gives the information to the whole Council.

President KELLY—Councilor Scannell.

Coun. SCANNELL—I believe some years back the Rawding Waterways had a permit from Congress Street bridge to the airport. I believe it was about twelve years ago. I don't know whether it is outlawed yet.

Coun. KINSELLA—Thank you, councilor. Well, it is not a vital and pertinent point to make since the air service over there has increased immeasurably. By comparison the service across the harbor will have to be increased immeasurably together with the proportionate share of those who want to travel that way. I am not going to advise Mr. Fairbank one way or the other. I am not in a position to do that, nor am I going to throw obstacles in his way, not purposely. I may do it unwittingly, and if it ever can be shown to me, I will remove the obstacle. But I certainly think if we are going to get along in peace and harmony, paying attention, for instance, to certain orders filed here last Monday in good faith whose object was to sharpen and brighten up our conduct toward each other individually and collectively, it seems to me we ought to start off with just common courtesy as the spur. We are not a law-making body and you gentlemen in the Body who have been in the Legislature know from experience how frequently a measure that is laid over for report in the House or the Senate will be delayed and held up at the request until they can be present. You gentlemen know that.

Coun. LINEHAN—Will you yield?

President KELLY—Do you yield to Councilor Linehan?

Coun. SCANNELL—Yes.

President KELLY—Councilor Linehan.

Coun. LINEHAN—I might say after the matter has been heard, the member is contacted by phone or whatever way it might be; but regardless of whether the man wishes it or not, the order still goes before the House or Senate for action.

Coun. KINSELLA—I may well answer that in the same spirit and return to Councilor Linehan some information he has lost sight of. Many times when it is printed on the daily list and a man cannot be present, or if he goes up in the morning and he knows he is not going to be present in the afternoon, he can ask to have it postponed until the next day. So that on that day it is not reported in the sense of being reported. There are things done because of good fellowship between the members of this and other bodies. If anybody's rights are infringed because of doing a fellow councilor a favor, that is unfortunate. I did not mean to tie up this project into a hopeless snarl for the purpose of doing one man a favor, but under the same circumstances and the opinions of the members present now, my remarks would have taken the same form and voice as they have taken here. Are we going to accept the pattern regardless of the interests of each one of us in his ward, though a small portion of the ward in this case is concerned, just the tie-up point? If we are going to take the attitude that it does not matter, then we are going to have a free-for-all all year round without regarding the wishes or will of those who have to go back to the people and seek their support. We like few, if any, obstacles thrown in our way when we are concerned with the return of the electorate. I don't know what else to say. I would not want Councilor Coffey to feel what I have had occasion to feel, and what another councilor has felt when he told me of his woes when the Body, in spite of his presence and in spite of his interest, saw fit to rule against him. That is a poor form of courtesy to take among twenty-two, a small body, which should be very wieldy, one that ought to be a pattern for all active bodies in the state. However, it is up to the individual members to vote yes or no. I know what I will do.

President KELLY—The question comes on the question of taking a recess for the purpose of going into Executive Session. All those in favor say "aye," those opposed "no." The Chair is in doubt. I will ask for a standing vote. All those in favor, please rise.

(Nine members arose.)

President KELLY—Those opposed, please rise.

(Six members arose.)

President KELLY—Nine to six. We are in Executive Session.

Coun. LINEHAN—Mr. President.

President KELLY—We are in Executive Session.

Coun. LINEHAN—Do you want to appoint somebody chairman?

President KELLY—The Chair will appoint Councilor Sullivan chairman of the Executive Session.

RECESS.

On motion of Councilor Linehan the Council took a recess at 6.50 p. m., subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President Kelly at 7 p. m.

President KELLY—The report of the Executive Committee.

EXECUTIVE COMMITTEE REPORTS.

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

Report on petition of Boston Waterways, Inc., recommending passage of order granting license to operate ferry service, Congress street to airport.

The report of the committee was accepted.

Coun. SULLIVAN—Mr. President.

President KELLY—Councilor Sullivan.

Coun. SULLIVAN—Mr. President, I doubt the presence of a quorum.

President KELLY—Councilor Sullivan doubts the presence of a quorum, so the clerk will call the roll.

The clerk called the roll, and the following responded as present: Councilors Bryan, Cantwell, Carey, Chase, Cook, Hannon, Keenan, Kelly, Lane, Linehan, Moriarty—11.

Coun. LINEHAN—Mr. President, a point of inquiry.

President KELLY—Wait a minute.

Coun. LINEHAN—A point of parliamentary inquiry, Mr. President.

President KELLY—Wait a minute while the clerk calls the roll.

Coun. SULLIVAN—Mr. President.

President KELLY—There is a ballot going on.

Coun. CHASE—Mr. President.

President KELLY—Just a minute.

Coun. CHASE—Here.

Coun. HANNON—A point of parliamentary inquiry.

President KELLY—Wait a minute while the balloting is going on.

Coun. HANNON—A point of order. The rule states if a gentleman is present he must be recorded either one way or the other. There is a gentleman present not recorded. I move Councilor Sullivan be recorded.

President KELLY—One minute. The Chair has rung the bell. Every councilor present in the Chamber shall record present when his name is called.

Coun. LINEHAN—A point of parliamentary inquiry. This gentleman who made the motion is not present to vote.

President KELLY—He was present when the motion was made.

Coun. KEENAN—Mr. President, a point of parliamentary inquiry.

President KELLY—State your point of parliamentary inquiry.

Coun. KEENAN—I would like to go unrecorded.

Coun. HANNON—A point of order.

President KELLY—Councilor Lane, not having spoken.

Coun. LANE—Am I recorded?

President KELLY—Yes.

Coun. HANNON—A point of order.

President KELLY—State your point of order.

Coun. HANNON—The rule states every member present must be recorded one way or the other unless excused by the President.

President KELLY—That is right; every member in the chamber has been recorded.

Coun. HANNON—No. I think the councilor from Ward 9 (Councilor Sullivan) has not been recorded.

President KELLY—The councilor from Ward 9 is not present. The clerk will announce the balloting.

The clerk announced the presence of 11 councilors in the chamber.

President KELLY—The meeting is adjourned.

Adjourned at 7.05 p. m., to meet on Monday, January 27, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 27, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY presiding. Absent, Councilors Lane and Madden.

The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

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

Harold E. Hines, 27 Northfield avenue, Quincy, to be Weigher of Goods for term ending April 30, 1947.

Alfred Blaustein, 23 Fernboro street, Roxbury, to be constable without power to serve civil process and to serve without bond for term ending April 30, 1947.

"STOP" SIGNS ON POND STREET.

The following was received:

City of Boston,

Office of the Mayor, January 14, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Traffic Commission, relative to your order of December 9, 1946, concerning the erection of "Stop" signs on Pond street, at the intersection of Columbia road.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,

Traffic Commission, January 13, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor—This is in reply to Council order dated December 9, 1946, which reads as follows:

Whereas, a dangerous traffic condition exists as a menace to the lives and safety of the public at the intersection of Pond street and Columbia road, Ward 7, it is

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to erect plainly visible "Stop" signs on both sides of Pond street at the intersection of Columbia road so that motorists driving along Pond street toward Columbia road will be compelled to stop before proceeding into Columbia road.

At a meeting of this commission held on January 9, 1947, it was voted to make Columbia road a "Stop" street at Pond street. This rule will become effective on January 20, 1947.

Very truly yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

SUBRELIEF HOSPITAL, JAMAICA PLAIN.

The following was received:

City of Boston,

Office of the Mayor, January 27, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Health Commissioner relative to your order of December 26, 1946, in connection with the advisability of establishing a subrelief hospital on the old Emerson property, Jamaica Plain.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,

Health Department, January 7, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—I am in receipt of your letter dated December 30, 1946, enclosing order of the Boston City Council pertaining to the advisability of

establishing a subrelief hospital on the old Emerson property, since taken over by the City of Boston, to take care of the residents of Jamaica Plain, Roslindale, West Roxbury, and Hyde Park sections of Boston.

My understanding is that the idea for the establishment of a subrelief station in the Jamaica Plain, Roslindale, Hyde Park section has been stimulated by the fact that the Massachusetts Memorial Hospital has taken over the Forest Hills Hospital and that the Forest Hills Hospital is now operating as a branch of the Massachusetts Memorial Hospital. Because of this fact an adjustment will necessarily be required among the physicians who formerly used the Forest Hills Hospital.

I am very hesitant about recommending a subrelief hospital in the vicinity at present and doubt whether it would offer service to the physicians in that area. In addition, considerable expense would be entailed for the construction of such a proposed hospital. The matter of maintenance and the support of employees for a 24-hour day would also involve additional expense which might not be justified.

In addition to the Forest Hills Hospital, there is situated within a reasonable distance by automobile the Faulkner Hospital, already equipped to operate in a manner to care for any acute emergency. Likewise, in the Dorchester section, St. Margaret's Hospital is available.

Without a prolonged study of other favorable influencing factors, I would be opposed to recommending the establishment of a subrelief station on the old Emerson property until such time as the new management of the Forest Hills Hospital has been placed in operation.

Yours respectfully,

JOHN H. CAULEY, M. D.,
Health Commissioner.

Placed on file.

LIGHTING FACILITIES ON DORCHESTER AVENUE AT CRESCENT AVENUE.

The following was received:

City of Boston,

Office of the Mayor, January 2, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, relative to your order of December 26, 1946, in connection with improved lighting facilities on Dorchester avenue at Crescent avenue, Ward 13.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,

Public Works Department,

January 7, 1947.

Mr. J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works provide improved lighting facilities on Dorchester avenue at Crescent avenue, Ward 13, and this will advise you that a survey will be made of the area mentioned with a view to improving existing conditions.

Very truly yours,

ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

OLD COLONY AND OLD HARBOR DEVELOPMENT PROJECTS.

The following was received:

City of Boston,

Office of the Mayor, January 27, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Acting Executive Director of the Boston Housing Authority, in reply to your order of December 16, 1946, relative to the jurisdiction over, and the possible acquisition of, Old Colony and Old Harbor Village developments by the Housing Authority.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston Housing Authority,
10 Post Office Square, Boston.
January 21, 1947.

Hon. James M. Curley,
Mayor of Boston.

Re: Council Order, December 16, 1946.

Dear Mr. Mayor.—This Authority is in receipt of a copy of an order in City Council relative to retention of jurisdiction by this Authority over, and possible acquisition of, Old Colony and Old Harbor Village developments.

I am pleased to inform you that the Authority has reached an agreement with the Federal Public Housing Authority whereby that agency will negotiate the terms of leases to be entered into by this Authority for these two developments. Pending negotiations, existing leases have been renewed so that this Authority will continue to operate the developments as before.

Acquisition of these developments by this Authority is a different matter, however. This Authority has no funds with which to purchase either or both of them. If at any time the Authority should be in a position to acquire the funds, either by borrowing or by grant, it would be pleased to consider the purchase of both of these developments.

Very truly yours,
JEREMIAH F. SULLIVAN,
Acting Executive Director.

Placed on file.

CONFERENCE RE VETERANS' HOUSING PLAN.

The following was received:

City of Boston,
Office of the Mayor, January 27, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Acting Executive Director of the Boston Housing Authority, relative to your order of December 26, 1926, concerning a conference of architects and others for the City of Boston Veterans Housing Program and a survey of available sites in the city.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston Housing Authority,
10 Post Office Square, Boston.

January 21, 1947.

Hon. James M. Curley,
Mayor of Boston.

Re: Council Order, December 26, 1946.

Dear Mr. Mayor.—This Authority is in receipt of a copy of an order in City Council relative to a conference of architects and others for the City of Boston Veterans Housing Program and to a survey of available sites in the city.

The Authority is pleased to advise you that the conference suggested by the Council will not be necessary, as the Authority has already engaged the services of competent architects, and the work of design and planning is proceeding with all possible dispatch.

The Authority has been engaged in a survey of all available sites in the city since the initial stages of the movement for adoption of this program. You may be assured that the survey has now reached the stage that the construction of houses may start at the earliest moment the weather will permit.

Very truly yours,
JEREMIAH F. SULLIVAN,
Acting Executive Director.

Placed on file.

SALARY OF CHIEF ENGINEER, CITY HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, January 24, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the superintendent of the Boston City Hospital relative to your order of January 13, 1947, in connection with the salary of the chief engineer of the hospital.

Respectfully,
JAMES M. CURLEY, Mayor.

The Boston City Hospital,
January 18, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Mr. Connors.—At a meeting of the Board of Trustees held on January 17, your communication regarding Council order, January 13, 1947, requesting the trustees to pay the chief engineer of the City Hospital a salary commensurate with his duties, was presented. It was voted that the salary not be increased in order not to interfere with the budget recommendations.

Very truly yours,
JAMES W. MANARY, M. D., Superintendent.
Placed on file.

CONTRACTS RE GARBAGE COLLECTIONS.

The following was received:
City of Boston,
Office of the Mayor, January 27, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication received from the Law Department, relative to your order of January 6, 1947, concerning existing contracts which now extend for more than one year, pertaining to the collection, removal or disposal of refuse.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Law Department, January 20, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor.—You have referred to me the following order passed by the City Council on January 6:

"Ordered, That the Corporation Counsel furnish the City Council with a legal opinion as to whether or not the existing contracts which now extend for more than one year, pertaining to the collection, removal or disposal of refuse comes within section 6 of the City Charter, and to also furnish the City Council with a legal opinion as to what municipal matters come within the jurisdiction of the Boston City Council in so far as section 7 of the City Charter of Boston provides. These opinions shall be submitted to the City Council within fourteen days from date."

Section 6 of the Charter, St. 1909, c. 486, provides as follows:

"SECTION 6. No contract for lighting the public streets, parks, or alleys, or for the collection, removal, or disposal of refuse, extending over a period of more than one year from the date thereof, shall be valid without the approval of the mayor and the city council after a public hearing held by the city council, of which at least seven days' notice shall have been given in the City Record."

I assume that the order of the City Council refers to refuse collection contracts for the current year 1947. I am informed that those contracts were signed by your Honor on January 8, 1947. By their terms, the contracts terminate on December 31, 1947. They do not, therefore, extend " . . . over a period of more than one year from the date thereof . . ." and, accordingly, are not subject to the requirements of section 6.

As stated in several prior opinions, collected in my previous opinion of April 24, 1946, to the City Council, municipal matters within the jurisdiction of the Council, within the meaning of St. 1909, c. 486, s. 7, are matters with respect to which it has power to act. Plainly the Council has no right to inquire as to matters which it is prohibited from dealing with, or which have been placed in the hands of specific boards or officers.

Yours very truly,
JOSEPH A. SCOLPONETI,
Corporation Counsel.

Placed on file.

ACCEPTANCE OF CHAPTER 179, ACTS OF 1946.

The following was received:
City of Boston,
Office of the Mayor, January 27, 1947.
To the City Council.

Gentlemen,—I submit herewith an order for the acceptance of chapter 179 of the Acts of 1946

which authorizes the city to put into effect the one day-off-in-six provision for members of the police force.

In view of the fact that members of the fire fighting force begin a forty-eight hour week on February 4 of this year, it is my intention, provided your Honorable Body gives approval to the accompanying order, to approve such order on February 4, so that the new working schedule may be operative in both the Police and Fire Departments on the same day.

I am pleased to report to your Body that the Police Commissioner is able to institute this new working schedule in the Police Department by the employment of only fifty-four additional men. The Police Commissioner is deserving of our highest compliments because of the relatively low cost of instituting this new working schedule.

I respectfully recommend passage of the accompanying order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That chapter 179 of the Acts of 1946 entitled "An Act Repealing Certain Provisions of Law which Defer the Granting of One Day Off in Every Six Days for Members of the Police Force of the City of Boston," be, and hereby is, accepted. Referred to Executive Committee.

HOUSING FACILITIES IN SOUTH END AND SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, January 27, 1947.
To the City Council.

Gentlemen,—Replying to your order of January 20, 1947, I beg to state that I have been working upon the proposal for the erection of housing facilities in the South End and South Boston, and trust that shortly I may have a progressive, if not favorable, report to submit to your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Josephine Alibrandi, for compensation for injuries caused by an alleged defect at 45 Maywood street.

Century Cab, Incorporated, for compensation for damage to car by city truck.

Raymond J. East, for compensation for injuries caused by an alleged defect in Weld street, West Roxbury.

George W. Girvan, for reimbursement for execution issued against him.

Virginia Graham, for compensation for injuries caused by an alleged defect at Berkeley street and St. James avenue.

Rose Hoffman, for compensation for injuries caused by an alleged defect in Abbotsford street.

Laura A. LaPlante, for compensation for injuries caused by an alleged defect in Columbia road.

Katherine A. MacDonald, for compensation for injuries caused by an alleged defect at Devonshire and Franklin streets.

Donald A. McLeod, for compensation for damage to car caused by an alleged defect in Beacon street.

Francis E. Murphy, for compensation for damage to car caused by an alleged defect at 409 West Broadway.

Raymond F. Ochs, to be reimbursed as result of accident which occurred while in performance of duty as employee of Fire Department.

Joseph S. Rosen, for compensation for damage to car caused by an alleged defect at Deering and Westmore roads.

Alicia A. Rowell, for compensation for injuries and damage to glasses caused by an alleged defect in Naples road.

Blanche Smith, for compensation for injuries caused by an alleged defect at 112 Winthrop street.

Committee on Licenses.

Petition of Mattapan Square Bowling Alleys, Joseph V. Celli, 500 River street, Mattapan, to operate bowling alleys on the Lord's Day.

PERMITS FOR CHILDREN TO APPEAR.

Petitions for children under fifteen years of age to appear at places of public amusement, were received as follows:

Hazel Boone, Lee Auditorium, February 20.
Ruth M. McShane, G. A. R. Hall, South Boston, February 17.

Tributary Theatre, New England Mutual Hall, February 1, 8, and 22.

Permits granted under the usual conditions.

HEARING ON EXTENSION OF EAST BOSTON TUNNEL.

Notice was received from the Department of Public Utilities of hearing to be held February 5, at 10.30 a. m., on petition of Transit Department for approval of plan and estimates of cost for extension of East Boston tunnel from Maverick square to Orient Heights, East Boston. Placed on file.

FERRY SERVICE TO AIRPORT.

The following was received:

Boston Waterways, Inc.,
Room 1119, Old South Building
Boston, January 27, 1947.
To President,
Boston City Council.

Dear Sir,—Recent newspaper articles have called attention to a letter from the Public Works Commissioner to the Boston City Council regarding the application of Boston Waterways, Inc., to operate a passenger ferry service to the Logan Airport, and to his fear that such a service might involve the frequent opening of the Northern avenue drawbridge with resultant traffic tie-ups.

Although since this letter was written this question has been raised and answered at a public hearing before the Executive Committee of the City Council, I would like to take this opportunity to repeat what I said at that hearing; namely, that the proposed service will not require the opening of the bridge at any time.

The fact that the Northern avenue bridge has such a low clearance at high tide was, of course, a major factor in the design of our boats, and one that necessitated considerable research before a satisfactory design was achieved. A study of tide table records indicated, however, that with the use of the resultant boats there will be less than 3 per cent of the time during operating hours when the tide is so unusually high as to raise any question of there being ample clearance.

On those instances when it is not possible to pass under the bridge with ample clearance, landings will be made at a secondary dock north of the bridge. In these cases passengers will, of course, be provided with free transportation from there to the regular landing.

Very truly yours,
B. L. FAIRBANK, President.

Coun. BAYLEY—Mr. President.
President KELLY—For what purpose does the gentleman rise?

Coun. BAYLEY—Mr. President, I would like that communication read.

President KELLY—The clerk will read the communication.

(The clerk read the communication.)
The communication was placed on file.

REPORT OF COMMITTEE ON PARKS AND PLAYGROUNDS.

Coun. BAYLEY, for the Committee on Parks and Playgrounds, submitted the following:

1. Report on order (referred December 16, 1946) re use of Commonwealth avenue reservation from Exeter street to Kenmore square for parking — that same ought not to pass.

President KELLY—The question comes on the acceptance of the report of the committee on the rejection of the order.

The report was accepted, and the order was rejected.

2. Report on order (referred December 30, 1940) relative to children's recreation program recommending passage of order in the following new draft:

Ordered, That his Honor, the Mayor, be requested to include in the 1947 budget estimates an appropriation of \$25,000 for the Board of Recreation, General Administrative Expenses; and to include also a sufficient sum of money in the budget of the Board of Recreation to permit that Board to employ the services of a corps of athletic instructors, in order that adequate athletic supervision may be provided on those playgrounds which are not now so supervised.

President KELLY—The question comes on the acceptance of the report of the committee.

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

Coun. BAYLEY—Mr. President.

President KELLY—Councillor Bayley.

Coun. BAYLEY—Mr. President, last Friday your committee held a hearing in these chambers on the order introduced by Councillor Linehan to provide for a better recreation program for Boston, which hearing was attended by most of the members of the Board of Recreation and the chairman of the Park Commission for awhile, and sports writers. It was brought out at that meeting that the Board of Recreation, which is set up by an act of the Legislature and which is mandatory, is now working without any funds whatever. They meet downstairs when they have a chance to. They have no secretary, they have no money with which to make any report. The committee felt that \$25,000 would enable them to have supervisors, as is provided for under the act of the Legislature, and possibly one clerk, which would enable them to present reports similar to the excellent report which they presented to this Council about two months ago. It was also brought out, Mr. President, that many of the playgrounds in Boston are not adequately supervised. There are supposed to be 52 supervisors to supervise the playgrounds, but many of us have not seen the playgrounds as well supervised as we wanted. At least, two of the councillors said that in their districts there were no supervisors at all or no supervision. We have today quite a few playgrounds and parks in Boston, and it seems to me, and I think it does to all members of the committee, that these playgrounds should be used more by the children, but there is nothing to attract them there. In the case where there is adequate equipment—and many of the playgrounds don't have adequate equipment—and there is no supervision or program for the children, and the money spent in the past on building up these parks is wasted, when you don't have either equipment or supervision to look after the children and to direct them so that they will not be playing in nearby streets as is the case in one district where, when we go down the street we find them playing there, even though there is a playground alongside which is not used. Mr. President, I hope the members of the council will pass the order and that the \$25,000 will be appropriated for the Board of Recreation and such further sums as is necessary to provide supervision of the playgrounds, because there are many of them at this time not adequately supervised. We need a program for the kids of Boston, and I think it is high time we had a program.

Coun. LINEHAN—Mr. President, last week we had the meeting as was mentioned by the councillor from Ward 5 (Councillor Bayley). I am sorry to say a lot of the guests that were invited did not show up. I filed an order about two weeks ago in the hope that we might get the newspaper men behind the program for the children of Boston. As many of you councillors know, the President of the United States, through his Attorney General, had a meeting in Washington relative to juvenile delinquency as it exists in the United States. They agreed there that there was plenty of it all over the United States and, of course, as we all know, there is quite a bit of it in Boston. There are many ways by which to combat juvenile delinquency. We might start with the parents, or we might go to the churches and have them investigate religious principles and so forth in order that the children might benefit from the teachings of the church. Also, we might

have more adequate juvenile court proceedings set up in our courts. But coming right down to the proposition, it is what can we do as far as the city is concerned? I thought the only thing I could do was to have the Council ask his Honor the Mayor to appropriate a sufficient amount of money so that whatever parks we have in the city would be adequately manned, so that the children would get the benefit of a good, healthy recreational program. We all agree the City of Boston is not very much on recreation for the children of Boston. All the sports writers of the different papers in Boston were invited, due to the fact that the sports writers in Boston attended the Washington conference which was held as a result of the President calling for them through his Attorney General. They were invited, but only one sports writer showed up. The main object of the order was to see if we could get the sports writers behind a recreational program for Boston. Ordinarily, if a politician gets behind a program, it is said that the politician is looking for votes. I thought it would be the sports writers' program because I know Bill Cunningham said we needed a recreational program. I thought they would get on the ball but, unfortunately, they were not on the ball last Thursday because they did not show up. I am getting up today, taking a chance I will get my ears belted in. Now, I don't think the City Councilors can be blamed for the lack of funds because, under Mayor Kerrigan, the councilors went down the line and appropriated plenty of money, but unfortunately the money was taken away from the Board of Recreation and the Park Department. As far as the recreational program was concerned, it would have been administered by the Board of Recreation. I personally felt that the Board was doing a fairly good job until the time they lost all their money. I personally think, and I think all the councilors agree with me, that money spent on recreational programs for the benefit of children is money well spent. I don't think the taxpayers would object to it whatsoever as long as a good job is done for the children. As a result of the meetings held in Washington, the newspapers' sports writers agreed to go back to their respective communities and to try to apply enough pressure or to arouse enough public interest so that the cities would appropriate money for better recreational programs in the cities throughout the nation. Now, we are part of the nation and we are one of the cities referred to. I thought the Council would at least try to get the ball rolling through the newspapers' sports writers who are in a better position to bring pressure on the Mayor of Boston to have the Park Commissioner submit a program for 1947. Of course, it necessitates the expenditure of public funds, but as I said before, I don't think any of the taxpayers object to money being spent for recreational purposes for the children of Boston. Each and every member of the School Committee was invited to attend the meeting but not one member showed up. I suppose we cannot be surprised at that because after all it was only the City Council who was inviting them down here. Probably they don't think enough of us to pay us a little respect. Unfortunately, it was not an order for the benefit of the City Council but for the City of Boston. I say it is about high time for the different people in public office and those holding different appointive positions, such as the Board of Recreation, the Park Commissioner, the School Committee, to get together for the benefit of the children and to forget their animosities toward each other. I know the councilors will go along 100 per cent to cooperate with each other for the benefit of the children. I don't think there would be one person voting against the appropriation for recreational purposes in the City of Boston. I say, if this money is appropriated and if the Mayor sees fit to appropriate money for the 1947 recreational program, whatever employees, if any, are put to work as athletic instructors or supervisors, whatever you might call them, in the different parks and playgrounds throughout the city, will come from duly certified civil service lists. They will not be political appointments as under a recent administration. We will not have that to contend with because it will not have to do with patronage, it would come, as I say, through the duly certified civil service list. One big objective of the meeting last Thursday was to get all the newspaper writers to see if they would not put out fine editorials in their sports pages to show the citizens of Boston that the

City of Boston is not providing the taxpayers of Boston with an adequate recreational program for the children. It is not due, to my mind, to the fact that the Park Commissioner does not want to do it, or the Board of Recreation does not want to do it, because they both want to do it, but they have to have the money. If the Mayor of Boston won't put money in the budget, naturally we cannot have a good recreational program. I certainly hope this order will pass. It is only requesting \$25,000 specifically for the Board of Recreation. It is also requesting his Honor of Mayor to provide sufficient money in the budget of 1947 so that we will have an adequate recreational program for the children. It is all up to the Mayor, and I sincerely hope the newspapers get to writing in the newspapers and sport pages editorials to show what benefits would accrue to the children of Boston and to the taxpayers as a whole. There is no question but the Mayor is no different from the rest of us. If a good argument is presented to him, he will certainly instruct the Park Commissioner and the Board of Recreation to submit funds in their budgets for 1947. I sincerely hope the order is passed.

President KELLY—The question now comes on the passage of the order. Councilor Hannon, talking on the order.

Coun. HANNON—Mr. President, I likewise sincerely hope this order is passed. I sat in the other day at the hearing, and anybody with an open mind could not help but feel after the testimony presented before this committee that something should be done for the children of Boston. As a matter of fact, I don't think we even needed a hearing. Those of us who have been interested in politics for any length of time know full well if there is one division in the City of Boston that is a reflection of the whole city, it is the playground and recreation division. Where the fault lies I don't know, but what the cure is, is more money to provide more means of recreation. There are certain playgrounds in the City of Boston that have not got a field house. There is no place to take a bath, there is no place even to go to the toilet, and yet they are called playgrounds. I had a new playground constructed in my district last year, and I think a playground should be what the name implies—it should be a ground on which the children play. It should not be merely some place cleaned up, or some field from which the grass has been removed. It should be a piece of ground on which there is some invitation to meet and to play. Yet I was astounded when I tried to have this place flooded for skating to be told it was a new playground and they did not contemplate skating on the playground, and hence the playground cannot be flooded. Why was the playground built? What is it for? I think skating is one of the fundamental joys, and it was one of the fundamental purposes for which the playground was constructed, and yet these open fields are nothing but cleared-off patches on which we play ball in the spring and in the fall light fires, but goodness knows what we are going to do during the whole winter. I think it is about time something was done to coordinate the recreational facilities of this city. As the previous speaker said, the gentleman from Ward 7 (Councilor Linehan), nobody from the School Committee even appeared at the hearing. Some have told us that the School Department, too, has a division of recreation. I would like to know what that division is doing. There was a school in my district which burned down last year and on that school property was a prop with swings. The prop is still up there and the holes are still in the iron girders to which the swing might be connected. Yet because there is nobody to put up the swing and take it down, the kids in that district are deprived of it. We are accused many times of making foolish appropriations and of spending money wildly, but I don't think anybody will find fault if we spend money for the proper education of the children, and by education I mean in the athletic field as well as the mental field. One of the greatest means of education is sports because it teaches every kid to give and take, and to be on the level. Last night on the radio was a program to which I was listening, a program that told the story of a blind lady in Oak Village or Oak Valley out in Chicago. She used to gather the children of the neighborhood and tell stories on the veranda. Finally, some old crank made a complaint because she was bringing the children around there. She was invited by a police officer to appear at the mayor's office and she went down there cringing

with fear, wondering what was going to happen to her. When she got to the mayor's office he told her that he had a petition signed by thousands of children asking that she be permitted to continue telling her stories at the public playgrounds, and the mayor appointed her the official storyteller of that particular community. But there is no storyteller in the City of Boston, there is no place the children can go to be told stories. I guess, as a matter of fact, the best storytellers are in the City Council. We tell them we are going to get them a playground, and then we give them an old hole where there is no place to meet, nothing to invite them there and yet, we say, "We gave you a playground." I think every dollar we spend for the kids is a dollar well invested, and I think \$25,000 is menial enough, it is merely a start, but it is a start in the right direction. I am for it, and I hope much more will be added to it so that the kids in Boston will be able to compete with the kids in other sections of the country. It is years, I think, since we defeated a fighter around here. Go to the amateurs every year. The Boston boys are knocked out, or quit in the first or second round. Look at the amateur baseball series. You never see the teams of Boston in the semi-finals or finals. Even on our high school teams there is no incentive offered to them similar to what communities outside will do. They will take their high school teams and send them to Florida, send them out west. They give them some incentive for playing the game and to get them out doing their best. They pay real money for real coaches but we here in Boston are lackadaisical or asleep. We will spend money otherwise, but not on the kids. I say it is time we wake up and spend money on them.

President KELLY—The question comes on the passage of the order, Councilor Coffey.

Coun. COFFEY—Mr. President, the way the order reads I think is a red herring. We are trying to get back the Board of Recreation that the Mayor downstairs had sense enough to abolish. They did nothing while they were here but draw salaries. They came from Brookline and from Newton, they came from faraway places, as far as New York, and grabbed themselves good jobs at \$2,500 to \$4,000 a year to do nothing. I have talked with members of the Board from Boston and they definitely are opposed to the Board. They said they did nothing but hold meetings and have luncheons at the Parker House and come in every pay day to draw their checks. I am going to oppose this order. I don't believe it is a sincere order. If the committee wants to bring out a report for \$25,000 for equipment, I would be with it. I know there are votes in kids. You get the old man and the old lady to vote. I have been in politics as long as anybody here, and I know. I have seen politicians give the kids lollypops but they make sure they get a button and bring it home to the old man and old lady. They give them the lollypops just like on the Fourth of July when we give out the ice cream. We are smart enough to visit their playgrounds to make sure the kids see us but we are not giving it to them, the city is giving it to them. We make sure we are "Johnny-on-the-spot" to get the votes. This is something to create that Board of Recreation which has been of no value to the city or to anybody, this is just to put these fellows back on the pay roll. This is starting with \$25,000. What do we want with supervisors? We don't need supervisors. In our own park, the biggest park in the entire City of Boston with the exception of Franklin Park, I don't remember a supervisor out there as a kid. I remember learning to play baseball by myself, and I reached the stage where I earned \$100 a week. Even in high school I never played on the high school baseball team, but I did make a few bucks at it, and other kids are doing the same thing today. They don't need supervisors. They have supervisors in the Park Department. If the supervisors are not working and are not on the job, it is not our fault. There is a Park Department Commissioner and he is in charge of it. He has made the statement to us in the Executive Chamber, and he has made it several times, that he would never recognize it, and I think the School Committee feels the same way he does, and that is why they did not show up. They don't recognize the Board, and I don't recognize it, and I never will. It is a case of putting on a lot of fellows who don't know anything about recreation with the exception of the head who has a job in the Boys' Club of the City of

Boston. He is drawing a good salary there but he is donating his services to help out the kids. But this, as I said previously, is something they are trying to create and start, this Board of Recreation going again. I am opposed to it because of that. If this order can be amended to give the kids what they need, which is equipment, all right. They have supervisors, they have the recreational facilities, there are enough playgrounds, but give them equipment. There are places in my town that could use more equipment, and I would like to get it the same as every other district in the entire city, but I am not going to vote for my reopening of this Board of Recreation so that they can start in with \$25,000—and in three months they will ask for \$100,000—which will be spent in salaries for new men to be appointed. The Park Commissioner himself refuses to recognize it, and if you cannot get the cooperation of the Park Commissioner you might as well forget the Board of Recreation. I know there are enough supervisors, and there are enough in my town. I have not had any complaints over there about supervision of the three fields we have in the district, but I have received complaints that there is not enough equipment. I have stated here the same thing as all the councilors have stated about the equipment, but between the School Department and the Park Department you have enough supervisors. If they don't work on the job, it is no fault of ours, that is their boss's job. I want to know, through the City Clerk, if this order can be amended so that \$200,000 or \$225,000 could be spent for equipment and not for supervision.

President KELLY—The order can be amended, councilor.

Coun. COFFEY—I so offer an amendment to this order to read \$225,000 for equipment, and that the order originally brought in be stricken out.

President KELLY—Councilor Coffey moves the order be amended to read \$225,000 for equipment, and the original order brought in be stricken out.

Coun. KINSELLA—Mr. President.

President KELLY—Talking on the amendment, Councilor Kinsella.

Coun. KINSELLA—Mr. President, there is a good deal of truth in what Councilor Coffey said and yet I am wholeheartedly in support of anything that will improve the playground facilities for the children in the City of Boston. Many of them are youngsters who are only a step away from what might be called first-class or active citizenship. It is not very nice to grow up in a neighborhood and look back on a childhood which was not too happy or too pleasantly spent because of inadequate and run-down and obsolete facilities, and expect that the newly made citizens, those who are stepping into the places of responsibility, are going to have other than a casual, lackadaisical attitude toward those immediately behind. If the President will remember, my opposition to this creation of the Board of Recreation was just due to the fact that we thought non-Bostonians would administer the affairs of the Board, after which appointments were made by Maurice Tobin before he became Governor. The next question to come up was whether or not to establish a fund for personnel or for equipment. Eventually 144 to 147 campaign workers were put on in the spring and summer of 1945 and because of the fact that I had voted against the creation of the Board and because I refused to vote for the appropriation of the money for salaries, I also refused to ask Mayor Kerrigan for any of the jobs until about one month before the death of the Board, at which time I was fortunate enough to get a one-legged bantam of a job for a married lady with home responsibilities who took the job for about a month. I settled for one month's employment each to two worthy people. I would like to offer for consideration by your members, Mr. President, a request made of me by one of the clergy of St. Catherine's Parish in Charlestown in the spring of 1945 for some second-hand, worn-out baseball equipment, and I had to call on Mr. Cronin of the Boston Red Sox, and Cronin from somewhere dug up a little old equipment and sent it over. We were dealing in millions up here. We had appropriated a million dollars for the Board and we no sooner appropriated it than we tapped it for \$200,000 for salaries and \$60,000 was transferred to the Public Buildings Department. If you remember correctly, the Superintendent of Public Buildings took \$60,000 out of it which reduced it thereby to something like \$730,000. Now, whatever

became of that? I am sure I don't know, but if it was spent, it was spent, we know, legitimately and well, if not wisely. But consider, if you will, that I had to go to one of the big league baseball clubs in the city to get some worn-out equipment for boys at a public playground. It would be antilimatic to talk further beyond that point. I wonder how many others had to go on their hands and knees and beg for equipment. I wonder if we are going to set up a system again which was put in full scale operation on the night before Election in 1945 when those in Charlestown who were on the Board of Recreation as employees were told to dump Kerrigan and get on the Council candidate—not me, to be sure. I am not going to vote a dime for salaries until we build up those fields, until we replenish a depleted supply of equipment. I said before, and I repeat—and in this case repetition may have some results—I am not going to put in workers in an empty field. Build the field up first with first-class 1947 equipment and all the appurtenances for that type of recreation, and then we can put people in there to supervise and administer. Until that time I am going to vote "no" on any money matters pertaining to the re-establishment of the Board of Recreation for Boston. Let us have some physical equipment first and some physical evidence of the money being well spent, and then we will have no trouble finding 144 or 147 personnel to administer and supervise these activities. Until such time, I am not going to vote for anything, and please bear in mind I don't want again this year to ask the Braves or Mr. Cronin of the Red Sox for some more outmoded or worn-out equipment, but if I have to, I will.

President KELLY—The question is on the passage of the amendment.

Coun. LINEHAN—Mr. President, my understanding of the law is that the Board of Recreation was created in order to correlate the different departments of the city and also the state that may have something to do with appropriated funds for recreational purposes in Boston, such as the M.D.C., which spends money on recreation and which incidentally has done a fine job wherever it has been. To be honest with you, I agree there has been little done in Boston but the M.D.C. does a fine job. You can take any program backed by the M.D.C., and we have to agree it is way ahead of what comes under the Boston Park Department. I am a good friend of the Park Commissioner, but at the same time I think we have to forget personalities in a matter like this. We have to think of the children. I sincerely think this order submitted by the chairman of the Parks and Playgrounds Committee is a sincere order. I think almost every councilor in here agrees it is. We had a good meeting here last Thursday and everybody seemed to agree that we needed a better recreational program than what we have at the present time. Everybody seemed to agree we had a sufficient number of parks but that they were not adequately manned. Take, for example, any playground in Boston. If you find there is no instructor there, you don't find a good recreational program in that park, and I don't care how good looking it is. You can take the parks in South Boston or in any other place in Boston. If you don't have supervisors for the children, then you have not got a good recreational program. And that is the status of our park system as far as recreational purposes are concerned in Boston as of today. About the only thing I see that has been done for the kiddoes, as I have said on three or four occasions in this City Council is by public-spirited citizens like myself, if I can say I am one, and Councilors Kelly, Cantwell, Bryan, Moriarty, and Hurley; even Councilor Bayley used to have a softball team in the Park League, and the only thing the young people in Boston are watching is our ball teams and football teams sponsored by public-spirited citizens. The Park system gets credit for that and people locally suffer. I like baseball, I have played baseball and also football, and like the gentleman from East Boston I think we can have plenty of improvement in Boston as far as the children are concerned. We don't have good recreational buildings like the Boys' Club today—I am speaking more of other sections of Boston, but, unfortunately again, the good things, as far as the recreational program is concerned, are by private enterprise like the Boys' Club of Boston. The best recreational program has been paid for by a gentleman who served in this Council, Henry L. Shattuck. The best recreational program put

on in any play area is, I think, by the Lincoln House, once again a private agency. That is about all, it seems to me, we have in Boston of any value to the kids, private agencies. Probably it would be a good thing if we had a sufficient number of private agencies to put on good programs in every playground in Boston, but, unfortunately, there are not a sufficient number of them. I myself welcome them in South Boston. They are doing a fine job, and I sincerely hope the White Fund Trustees who were invited to the meeting get on the ball and appropriate money in other sections. As I say, we have a good one in the Boys' Club of Boston, but there are other sections which have not got such a thing as a Boys' Club. You can spend the White Fund money, of which our President is a member of the Board of Trustees, for boys' clubs throughout the sections of Boston. There is a lot of money in that fund, close to three million dollars which has accrued from profits made on their investments. That is besides the principal. It has the income which it can spend on projects. I am merely bringing in the White Fund Trustees because they were invited to the meeting. I don't blame them for not coming because they are gentlemen who hold responsible positions and they cannot give up the time. Coming down to the Board of Recreation, I know four of the members, and I know these men, whether we like them politically or not, are sincerely interested in the kiddoes. I am probably going to get my ears battered in for this, but I know Tom Turley, chairman of the Board of Recreation, and I defy anybody to say he is not one of the most distinguished gentlemen of Boston, fighting for the best interests of the children of Boston. He is giving up his own time even though he is not paid for it. And I think sometimes a gentleman not getting paid in some cases does a better job than people who are paid by the city, and I think he is one of them. I don't know the gentleman by the name of Comerford, somebody else in the Council might know him. I do know Bernard Casey. He happens to be one of the leaders of amateur baseball and football since I have been a kid, and whether you like him politically or not, I think he likes sports and likes the kids. Joe Lee — some of you don't like him personally, but I think honestly he is for the best interests of the children. He has spent his time and money throughout the years for the interest of the kids. Personally I am not friendly with every member of this board. Commissioner Long is an *ex officio* member of this board so he does belong on the Board of Recreation, and Ellen Gleason. I am not acquainted with her so I can't speak from personal knowledge. As I said, there are four gentlemen out of the seven members whom I know, and whether we like them politically or not, they are for the best interests of the kiddies. I think Albert West is a member. I am not sure, but I think he is. I think he is for the best interests of the children, and whether we like him politically or not, he has gone ahead and with time and effort dug up money from private sources to give the kids a good program during the summertime where they can go out boating and camping. Whether we like him politically or not does not seem to me to have any bearing on what we do for the children of Boston. Let us give credit where credit is due. Whether we like them or not, if they are doing a good job, I don't think we should say they are insincere. We should not say they are not doing a good job unless we know whereof we speak. To my mind, all the members I know are for the best interests of the kiddoes. Granted some of them have run for political office in the past and might again in the future, once again it is beside the point. Just because I am on my feet today speaking for the best interests of the kiddoes, I don't think it is for political reasons. As a matter of fact, I might not be back next year. Who knows how many of us will be back here? But it seems to me while we are here, we should sincerely be for the best interests of the children. Just because you might not like a recreational board, because the Mayor might not like them, once again it is unfortunate that that is the situation. I understand his Honor the Mayor does not go too big for the Board. However, the Legislature saw fit to create this Board only recently, and it must have been for some reason. I don't think it is to give the Republicans in the Legislature more power because they certainly do not get more power by creating a recreational board for the City of Boston. I think they sincerely thought they were doing the children of Boston a service

when they created the Board. Now, the only reason the \$25,000 was submitted is because there was no money available for the Board, and it seemed to the members of the committee and myself who attended the meeting to be an absurd situation, particularly when the Board has submitted a very lengthy report to show what they have done, and they have submitted constructive criticism and recommendations. I don't think they should be kicked around because of it, I think they should be commended. The gentleman from East Boston (Councilor Coffey) said they were paid. I don't think he means the members of the Board because I think they are an unpaid body. He probably means the supervisors or whoever comes under the Board. However, we all realize they must get paid if they are going to work as employees. These appointed officers, I believe, are unpaid. Now, is it a fact that our playgrounds are well-manned? You can give them what facilities you want, you can put them in South Boston or Roxbury or East Boston or Hyde Park or Jamaica Plain or Charlestown; if you have not got anybody to supervise the facilities and have the leadership, what is going to happen to the facilities? We all know of the reports of vandalism with reference to the schools of Boston and also on park and playground property. I don't have to go any further than my own town where we don't have anybody in our bath house over there. We don't have them in Columbus Park in the locker building, and the locker buildings get run down because there is nobody there to watch the children, and the children, we agree, need leadership, and need it badly. Up to now we have not had very good leadership for the children, with all the divorcees and the greed that exists in the nation today and in the world. It is a hell of a world for the kids. It was not quite as bad in our day as it is in their day. It seems to me anything that will help to combat the influences that are now being thrown upon the children is all for the good, and I think anything that the Board of Recreation will do will be for the good of the children and ultimately for the good of the taxpayers of Boston, because we shall have healthier citizens. If you give the children properly supervised exercises, there is no question you will be getting better citizens in the future. The war did show there were too many 4F's. If we had more recreational programs, we would have fewer 4F's. Personally I am a 4F myself right now, and it is not an indictment of me or of anybody else. It does seem to me we might have healthier kids and stronger boys and girls if we had healthier programs, and I think that is one of the objectives of these programs. Henry Shattuck was always for recreation for the kids, and I think the order submitted by the gentleman from the Back Bay (Councilor Bayley) who goes along with the other man from Ward 4 means well, but I say, don't vote for \$225,000 unless you have it properly supervised, because you won't have \$50,000 left at the end of the year. I say that would be a bad investment because if you spend that much in facilities, see that it is properly manned, properly supervised, so that the children can get the best out of the equipment. You might have one facility where four or five children can use it, and let us say there are about fifty children around who want it. Who is going to decide who gets it and when? Brute force wins, and the strongest kids win, and those that are weak will get no use out of the recreational facilities. I am sorry that I had to get up here and orate like I did. I was going to pass a few remarks and sit down, but before I do sit down, may I mention something I intended to mention at the outset of my first remarks? I mentioned the School Committee. Ever since I have been a member of the City Council, I have been advocating the opening of the gymnasias which come under the supervision of the School Committee, and all through the year I have yet to receive a good response. Why is that? I don't know. That is one of the jobs of the Board of Recreation. I think if they were properly staffed, and impress upon the School Committee the value the children might get out of the use of the gymnasias during the evening when the gymnasias are not being used for school purposes, we might get somewhere. Another thing — and I think we can legitimately squawk about this as far as the School Committee is concerned — is that they have a staff of their own for recreational purposes for the children, but to and behold, the best day of the week we don't have any recreational program for the children, on Saturdays, and

also on Sundays. At least on Saturday there should be something, it seems to me, when the parents can go out and proudly look at their children playing football or baseball or other sports. That seems to be one of the fine days to have a recreational program for the children. We have not got it in Boston, but they have it in every other town and city surrounding Boston. I don't say it is because some of the people working for the sports department of the School Committee are working other places on Saturday, but it is claimed that perhaps is one of the reasons. I don't know myself, but some of the members could go out and supervise and referee and umpire football and baseball Saturdays and Sundays. I say if that is true and that is the reason the children are not getting sports on Saturdays, that practice should be stopped by the School Committee. I think the majority of the people in Boston would love to see their children playing on Saturday. They cannot see them during the week because they are busy working. Only a few of us who are fortunate to be in the law business or other business like that can take an afternoon off occasionally to see our respective high schools play. I go out and see South Boston, and I am sure I get more pleasure out of that than watching the Boston Yankees and Boston Red Sox, and I think that goes for every councilor—that he would rather see his own high school play. Think of the people who have not got a job where they can take time off during the week. Wouldn't they like to see their children and friends play? I certainly think they would. The School Committee was invited here Thursday. I say if they have not got a recreational program for the school children on Saturdays because of outside interests on their part, that they had better appoint or delegate authority to those under them. We don't need the big shots because you can have the lesser shots supervise the activities throughout the different parts of the city. I don't mean to get up here and say the School Committee is wrong and those working under them are wrong. God knows the members of the School Committee and every other public body elected or not, or even the Legislature, do not mind pinning our ears back when we are wrong, so when we think they are wrong, I think it devolves upon us to call a spade a spade. I hope the sports writers now will really get in there and write up fine articles in the papers about the inadequacy of the program in Boston. Whether eventually it means we will get a big stadium, I don't know. Personally I am not interested in that until we get a properly-manned program for the kiddoes. If we have a big stadium, that certainly does not mean we get very much recreational activity. I certainly hope every councilor in here does not take this order to mean it is not a sincere order. As a matter of fact, the chairman of the committee asked for suggestions as to what should be done with reference to the order, and it was the consensus of those present—this was about the only order submitted—it was merely a suggestion anyhow. He can suggest a million dollars, he can do what he pleases. If we suggest \$25,000, at least that would start. Personally I think it is very inadequate. If we should get the athletic instructors and supervisors, whatever you want to call them, who will be selected from the newly selected civil service list, which means veterans who are back looking for jobs—and don't let anybody tell you they are not, they are really looking for them and it is pathetic—there will be no political patronage because they go through the civil service list. I vote for the facilities, but I think before we vote for the facilities we ought to give a sufficient amount of money for the men to supervise the playgrounds. I think the gentleman from East Boston will agree if you put facilities there you have to have supervision, and let me say the gentleman from Roxbury, the gentleman from Ward 11, and also the gentleman from Ward 5 who sat on the committee, when we were told by the Park Commissioner that there were instructors in those playgrounds in their districts, had to tell the Commissioner that was not true. I don't know who was telling the truth, all I know is that several councilors denied there were any instructors in their particular districts. I don't know of any in my district at the present time. There should be year-round instructors. I sincerely hope the order goes through, leaving it to the Mayor to appropriate money for facilities. I have no objection to the amendment if he makes it for facilities and supervision. If the gentleman from East Boston does not mind, I will amend his

amendment by making it \$225,000 for facilities and supervision. I do that with his consent, if he is willing.

President KELLY—Councilor Coffey.

Coun. COFFEY—Not for supervision.

Coun. LINEHAN—I amend his order without his permission, putting in facilities and adequate supervision.

President KELLY—The question comes on Councilor Linehan's amendment to the amendment. Talking on Councilor Linehan's motion to amend the amendment. Councilor Russo, not having spoken.

Coun. RUSSO—Mr. President, a point of information.

President KELLY—Will you state your point of information?

Coun. RUSSO—May I have the order read?

President KELLY—The original order?

Coun. RUSSO—Yes.

President KELLY—The clerk will kindly read the original order.

(The clerk read the order as originally presented.)

Coun. BAYLEY—Mr. President.

President KELLY—Councilor Bayley.

Coun. BAYLEY—Mr. President, do I understand, and this is a point of information, if Councilor Coffey's amendment prevails, the provision in there for \$25,000 to the Board of Recreation is completely wiped out, or is that still in there?

President KELLY—That will be wiped out. The only thing left in there is \$225,000.

Coun. BAYLEY—Is that not a new order rather than an amendment if everything is wiped out in the original order?

President KELLY—No. The Chair will rule it is an amendment which changes the original order.

Coun. BAYLEY—Will Councilor Linehan include the \$25,000 for the Board of Recreation?

President KELLY—Councilor Linehan restored part of the original order. It will include the original order if it passes.

Coun. BAYLEY—Thank you, Mr. President. I hope Councilor Linehan's amendment will pass. I would like to point out that it is provided in the Acts of 1943, chapter 451, accepted December 11, 1944, the following:

"The board shall appoint a superintendent of recreation who shall devote his whole time to such duties as are imposed upon him by this act."

Section 4 reads:

"The board shall study the recreation needs of said city and shall formulate plans for adequately distributed, coordinated and diversified recreational services. Such plans with recommendations of the board, shall be submitted to the departments of said city empowered by law to provide recreational services."

Mr. President, the Legislature by that act gave us the law and told us what it was our duty to do. It is obviously unfair to expect the Board of Recreation to function under its mandatory power to appoint a superintendent to work and devote his entire time to those duties. That \$25,000 appropriation should be in there so that they may perform the mandatory duties which are so provided. You gentlemen were privileged three or four weeks ago to get a copy of the annual report, Document 52. I won't take the trouble to read it except to say, in addition to saying what it had done for that year, it made excellent recommendations for 1947. It made certain recommendations which I don't think any of us can dispute, such as trained play instructors for men and boys, and women for girls and small children, are an absolute necessity on every playground if property is to be maintained and the best use gotten out of it. Mr. President, I would like to remind you a year and a half ago we appropriated a million dollars for the Park Commissioner for equipment and for going over the playgrounds, of which he subsequently used about \$700,000, some of the money having been taken off and transferred, but approximately \$700,000 was utilized. I agree with the distinguished gentleman from Ward 7 (Councilor Linehan) that we are wasting our money if we are going to remake these playgrounds and not have supervision. We need supervision as well as we need equipment. I am going to continue to fight for this because I am fighting for the kids as my distinguished predecessor, Mr. Shattuck, did before me. I am going to keep on fighting for the kids even if you don't. I am going to as long as I am in this Body. I am going

to fight for the right of the kids to be brought up in an American way, on playgrounds well-equipped and well-manned. I am going to fight for the American way of living so that they may be made strong and healthy so that we won't have 4F's in the next war. Equipment is part of the answer, but supervision is the other part. I hope Councilor Linehan is going to continue to ask the Mayor to provide sufficient money to carry out the law of the Legislature. We should do a good job for the children of Boston, and if we don't, it is time to change our form of government. It is up to us to do what the Legislature told us to do. I hope this amendment will prevail, and we will take care of the children of Boston.

President KELLY—The question comes on Councilor Linehan's amendment to Councilor Coffey's amendment. Councilor Moriarty.

Coun. MORIARTY—Mr. President, I would like to offer this suggestion for what it may contribute to the solution of this Board of Recreation conflict. It seems to me there are three controlling bodies or agencies as far as recreation is concerned, in the City of Boston. You have the School Board which has a distinct budget. You have your Park Department which controls both the physical and maintenance part of the park system with supervisory authorities controlling their recreation, and then you have an advisory body appointed by a previous administration which acts in the capacity of contributing ideas in recreation. Now, if Park Commissioner Long says that we have sufficient and adequate supervisors in our park system, it is my suggestion we create a distinct bureau or department known as the Recreation Department apart from the Park Department which will provide physical control of the park system, and that if we have sufficient instructors, let them be a distinct body and thus earmark this \$25,000 for equipment in itself. Park Commissioner Long distinctly said the other day we have sufficient instructors as supervisors in our park system; therefore, the \$25,000 would not be expended for salaries or administrative purposes because we have them already. Earmark the \$25,000 as Councilor Coffey says for equipment and facilities for the kids. It is a suggestion for your consideration that we create or take away from the Park Department their recreational end of it and let them control parks as distinct from the greater park system of recreation.

President KELLY—The question now comes on Councilor Linehan's amendment to Councilor Coffey's amendment. Councilor Fish.

Coun. FISH—Mr. President, do I understand Councilor Linehan's motion to amend would permit a certain portion of this money to be spent for salaries?

President KELLY—The amendment is to read \$225,000 for equipment and \$25,000 for supervision.

Coun. LINEHAN—That is not right, Mr. President.

President KELLY—That is not right?

Coun. LINEHAN—That is right.

President KELLY—Excuse me.

Coun. LINEHAN—The whole \$225,000 was for facilities and proper supervision of the facilities.

President KELLY—Facilities and proper supervision. All right, Councilor Fish.

Coun. FISH—Mr. President, there is no way of knowing how much of this \$225,000 those who administer it would spend for supervision.

President KELLY—That is right, under that amendment.

Coun. FISH—As I see it, and I stand up here with as much interest in the kids as anybody who has previously spoken, but I am also interested in what we hear every week, the poor taxpayer. I am interested in Republican talk of duplication of departments. I think we have gone one better, we are going to have a triple department now. We have the schools who have a certain portion of their money allocated for supervisory work for the children. We have the Park Department budget and a great deal of that has been spent for that. But that is not enough for some of them, and now they want a third one to do it. Still, they say they are interested in the taxpayers. Unless they get together and put it under one head, whether it be the Park Department, the Board of Recreation or the schools, unless any one takes it all, I am forced to vote against any further appropriation until they get together themselves and have one department to handle the money that is appropriated from the

schools, to handle the money that is appropriated from the Park Department, and if they need any more, let us give them more, but let them get together and have it under one head.

President KELLY—The question now comes on Councilor Linehan's amendment to Councilor Coffey's amendment. Councilor Coffey.

Coun. COFFEY—Mr. President, I hope Councilor Linehan's amendment is not passed because if it is passed, it will give the Board of Recreation \$225,000 to spend as they see fit. That is upping it \$200,000. To begin with, I opposed the \$25,000. I would not care if Councilor Linehan wanted to amend my amendment to read \$10,000 to take care of the administrative expenses of the Board of Recreation such as clerks and letters and paper, and so forth, but as far as supervisors are concerned, I would not want the Board of Recreation to spend one cent on supervision. It was brought out here about putting some veterans to work. We have a Park Department which has a list up at the State House of those who have taken examinations to be supervisors in the Park Department which does the very same work as this, and if we have not enough supervisors, it is up to the Park Commissioner to send to the civil service. I am sure as the councilor from Ward 7 (Councilor Linehan) says, that list is pretty well-loaded with veterans. The Park Department could put on another dozen or fifteen or twenty, and they would be all veterans, so that angle is pretty well covered. Another thing the gentleman from Ward 5 (Councilor Bayley) brings out, is the fact that this was an act passed by the Legislature, so we have to stomach it. I wonder if the gentleman realizes nine of us have fought this; we have opposed it right from the beginning, not because the man downstairs vetoed it, but even before Kerrigan was Mayor, nine of us in this Body fought this thing. What do we care what they do up in the Legislature? They have passed a lot of things we did not like, and they have created jobs in the City of Boston for friends of theirs which we did not like. They created an Americanization Bureau for the City of Boston while we had one in the state, and we had then a federal and state. They shoved that down our throats. We did not have a vote on it. They created jobs in the city, created the Superintendent of Markets job. The Board of Americanization was deemed permissive legislation, and several other jobs they created at the Legislature came down to us, and we didn't have one word on the matter; we didn't have a vote on it. So let us forget the angle that it is an act of the Legislature and we have to swallow it. We don't have to swallow anything the Legislature does. They do many things we don't like, anyhow. The gentleman from Ward 5 says in a very heated speech, so heated his words overflowed each other, that we don't want any of our kids to grow up to be 4F's. I have to be careful when I mention 4F to anybody. To begin with, I would like the gentleman from Ward 5 to know I have five kids. I brought kids up and I have grandchildren and expect to have two more in two months. Those kids will never be 4F's. One boy was not of age when he joined. He was not a 4F, and I wish to hell sometimes he was; he would be a hell of a lot better off than he is now with a touch of malaria that he is not going to get over. I wish to hell he had stayed around and made money like the 4F'ers did. Many a time I have hollered about the bookies or 4F'ers doing things to become 4F'ers, but nothing ever happened. The Police Commissioner did not see fit to go out and get these bookies, and he has not done it yet, and the chances are he never will. I guess everybody knows that by now. If they don't, there is something wrong, they ought to have their heads examined. All the bookies that were 4F'ers are still bookies now, and if a kid comes home and wants to open up a little hamburg place or go into a legitimate business, the Police Commissioner turns him down and says, "No, you can't have it." There was a man who got wounded at Okinawa and he wanted to open up a little hamburg and sandwich place on Porter street, and the Police Commissioner and the captain both opposed it, and I had to bring them over there to show them the disabled veteran, but the bookies are running all over town, all of them 4F'ers. If I was the gentleman from Ward 5, I would go slow with that word 4F'ers. Some people can't help being 4F's, we know that, and we have

them in every section of the country, and that is through no fault of their own. Some of them went through hell to get into the service. The only ones I would classify as "ifs" are those I read about in the papers and those I know who did things to stay "if"—lawyers going to work at the Atlantic yard, and doctors and dentists going to work down at Bethlehem Steel, which put them in 3A instead of 1A. Working for what? Forty, fifty, or sixty dollars a week until the war was over, and then going back and taking up their practice again. We had them right in this Body a few years ago. As I said in my opening speech, and I continue to say it now, this is something Henry Shattuck wanted. He had enough influence at Beacon Hill to get it through. I talked to members of that Board and the supervisors said they had no job to go to, they had no assignment. People were appointed from Brookline and Newton and Arlington and as far away as New York. They were political appointments. If we need more supervisors, we can get them from the Park Department and from civil service, all veterans. I want to add something about this \$25,000 added to my \$225,000. That is bad, it is going to give this Board of Recreation an opportunity of spending \$225,000 in any way they see fit. If they want to spend \$225,000 for equipment they can, and if they want to spend \$225,000 on supervision, they can also spend that. I hope Councilor Linehan's amendment is voted down and another amendment put on of \$10,000 for administrative expenses of the Board of Recreation, and the other \$215,000 be spent for equipment. Once the parks are equipped, the Park Commissioner will have to put on supervisors in those parks if the councilors claim they need supervision. In my ward, I have enough supervision, but I don't know about the other wards. But if there is a ward in the city which does not have supervision, it is up to the commissioner to see they have proper supervision. I hope Councilor Linehan's amendment is killed because I think it is a bad amendment.

President KELLY—Councilor Linehan, talking on his amendment to Councilor Coffey's amendment.

Coun. LINEHAN—Mr. President, I doubt if this is in defense of a constituent of mine, but may I say that instead of Colonel Sullivan being a puppet, I think he is the most independent public official I know in the City of Boston. I think a puppet is one who can be handled any way that the holder of the puppet wants him to act. I don't think Colonel Sullivan can be handled by any man the way he sees fit. Going back to the gentleman from Roxbury (Councilor Moriarty) who suggested we might have some kind of board to coordinate all the athletic activities, I might say to him why the Board of Recreation was organized. Section 4 of the act which created the board, the Acts of 1943, chapter 451, says:

"The board shall study the recreation needs of said city and shall formulate plans for adequately distributed, coordinated and diversified recreational services. Such plans, with recommendations of the board, shall be submitted to the departments of said city empowered by law to provide recreational services. The board shall encourage the establishment of voluntary committees to advise and cooperate with the board with respect to the operation and supervision of neighborhood play areas. The board may submit recommendations to any licensing authority or authorities."

Section 5 says:

"The board may, from time to time, consult with the park department, school committee, police department, public buildings department, board of street commissioners and traffic commission of said city, and any other departments thereof empowered under any general or special law or any ordinance to provide recreational services or having jurisdiction over premises and facilities which might be used for recreation, in relation to the recreational services or premises and facilities provided by said departments and in relation to plans for recreational services formulated by the board."

Section 6 reads:

"The park department, school committee, police department, public buildings department, board of street commissioners and traffic commission of said city, and any other department thereof empowered under any general or

special law or any ordinance to provide recreational services or having jurisdiction over premises and facilities which might be used for recreation may, from time to time, delegate to the board, with the consent of the board, and under such terms, including provisions for the transfer of personnel, as may be agreed upon, the management of any such recreational services or make available to the board premises and facilities under their control."

It simply means this, that the Park Department and any of those other departments mentioned, including the School Committee, may delegate any and all of its personnel having anything to do with recreation and any of its facilities under its jurisdiction and transfer them over to the Board of Recreation. The Board of Recreation in turn will formulate a program and will use the personnel and facilities provided by the different departments in the City of Boston. That is the job of the Board of Recreation, and I contend that is exactly what it will do as far as that request is concerned. You want some board that can coordinate all the different departments so that it is only one board, and that is what the board was created for, to correlate all the different departments so that we know what we are doing. Section 6 says that these different departments may delegate. As I understand it, the order originally was that these different departments throughout the city that have recreational programs and facilities "shall." You might say, to give it so-called independence they made it "may," and that is why we have trouble today, because it is "may." The board can now say to the Park division, "Give me some of your employees and recreational facilities so that we can put on a proper recreational program." If the word "shall" was in there, the board could compel Commissioner Long and all the other department heads to provide adequate facilities. But, unfortunately, the way I look at it, the word "shall" was changed to "may." Now, if a department head with the cooperation of the Mayor, does not want to do it, they don't have to, they can tell the Board of Recreation to jump in the river. That is what they have in Boston today. If the word was "shall," I don't believe we would have trouble. Section 7 says:

"The board may provide and may conduct recreational activities and supervise recreational premises and facilities delegated or made available to it by other departments of said city under section six. The board may cooperate with and promote by advice, suggestion and otherwise, such voluntary or amateur organizations for recreation, entertainment, or mutual improvement as shall meet its approval. The board may acquire and utilize recreational supplies and equipment and other supplies and equipment necessary for the conduct of its work."

So that if the different departments cooperate with the Board of Recreation to provide an adequate program for the children, the Board can do so, but if the Mayor of Boston and those other departments don't want to transfer some of their duties and some of their facilities and some of their personnel, this Board of Recreation cannot provide an adequate program for the kiddoes of Boston. There is something of personal jealousy on the part of the different department heads. That is what you have in Boston, and I say to anybody who does not believe that, go around and find out, go around to the different playgrounds and see if they are properly manned, see if the kiddoes in any section are satisfied with the programs. I don't think you will find one section satisfied. The only ones who will be satisfied are those which are being managed by private enterprise such as the Boys' Club and the Boston Lincoln House and all the other different clubs and private agencies. I sincerely hope that the amendment prevails, and I might conclude by saying the Mayor can still throw this order in the wastebasket, whether amended or not. My idea was to get the sports writers to do the job and not the councilors. As I said, the councilors can't do anything until the Mayor appropriates the money, and if he does not appropriate the money, then we have the half-baked program we have had over the years.

President KELLY—Councilor Russo, not having spoken.

Coun. RUSSO—Mr. President, I did not intend to speak on this order. However, I could not help but recall the time when this Board was given its power by the state and then when the Council

accepted the act, I was one who was very much in favor of this Board and fought for it and now recall even at that time when I asked the members of the Board to inquire into the act where it said they "may," I said at that time, "What will happen if the Park Commissioner or the School Committee or the various other departments you might ask to relinquish their powers and turn them over to you,—what will happen if they don't turn those powers over?" Well, they felt at that time this question would never come up. I suggested, and I still suggest, until such time as the act is revised and the word "may" changed over to "shall," we will be placed in the same predicament we are placed in today. I feel very strongly now as I did at that time. I feel that there should be a separate board to take care of all athletics whereby, when we are called upon in regard to any playground or any schoolyard or various other buildings owned by the City of Boston which could be utilized by the children, we know we will be under one department which will be the Board of Recreation and, therefore, we would not be given the runaround. We know if we called them up and asked them again, we would get an answer one way or the other. As it is today, you call the Park Department or the School Department. The School Department says, "See the Park Department." You call the Park Department, and they say, "See the School Department." You get the runaround whether you like it or not. I cannot help but look back many, many years ago when I first started to learn how to play a saxophone. Many of you don't know I am a saxophone player, but I had my own band many years ago. However, I can recall the difficulty I had when I bought my first saxophone which cost at that time \$220. What good would that saxophone have been to me if I did not have the instructor to teach me to play? So what good are the facilities if you have not got the proper supervision? Let us be fair and frank. All of us from time to time have taken the floor and asked that more supervision be granted in various parks and playgrounds. I would like to see proper supervision and if it is not proper supervision, then I would see to it that the right person would be employed. I like to see proper facilities on the playgrounds because I firmly believe that those proper facilities and good supervision go hand in hand. One cannot do without the other. You must have supervision and you must have facilities. Whether his Honor the Mayor feels that he does not want the Board to operate, that is within his jurisdiction, but I say, whatever money we spend, we ought to make sure that proper supervision should go along with proper facilities.

President KELLY—Councilor Bayley.

Coun. BAYLEY—Mr. President, I might say that the committee held a meeting of over two hours back last Thursday and heard everybody to be heard on it. We received some fine advice in the matter and went out to lunch and discussed the matter an hour and a half, and came back with a unanimous report. Here we are with one amendment and then another amendment. It is possible some of the councilors did not understand what our report was. One part was that we recommend and we suggest that the Mayor appropriate in the budget \$25,000 for the Board of Recreation for purely administrative purposes, no supervision, purely administrative purposes, which is the minimum amount with which they can adequately perform their mandatory duties under the act. That \$25,000 would be spent for a superintendent as provided under the act and one or two clerks and for office and annual reports which they are required to make. It would have nothing to do with supervision. It is estimated \$25,000 is the approximate amount necessary to carry out the minimum duties without regard to supervision. The second part of the order was that the Board of Recreation be given money for supervision of those playgrounds which were not at the present time adequately supervised. If the Park Department says any of those grounds are supervised and there is no need for supervision, there is no necessity for the money to be given to the Board of Recreation. At this time I would like to ask the councilor from Ward 1 if he has any objection to the first part of the order, which was that the Board of Recreation should get \$25,000 for purely administrative purposes, which was agreed on by the committee.

President KELLY—Councilor Coffey.

Coun. COFFEY—I oppose the Board getting anything.

President KELLY—Councilor Linehan's amendment covers that.

Coun. BAYLEY—Would that include \$25,000 for administrative purposes?

President KELLY—That is right. The first question comes on Councilor Linehan's amendment to Councilor Coffey's amendment.

Coun. LINEHAN—I would like to clear the record, that it means \$25,000 for administrative expenses.

Coun. BAYLEY—And \$225,000 for facilities and proper supervision?

Coun. LINEHAN—Therefore, Mr. President, it would include \$25,000 to the Board of Recreation for administrative purposes.

President KELLY—You amended it that way.

Coun. LINEHAN—I would like it to read—\$25,000 of the \$225,000 be spent by the Board of Recreation for administrative purposes.

President KELLY—All right. The first question comes on Councilor Linehan's amendment to Councilor Coffey's amendment.

Coun. RUSSO—Mr. President.

President KELLY—Councilor Russo?

Coun. RUSSO—A point of information.

President KELLY—Will you state your point of information?

Coun. RUSSO—If this amendment is passed and his Honor the Mayor wishes, he can take away the \$25,000 from the Board of Recreation for administrative purposes and allow the other to go for supervision and facilities and equipment?

President KELLY—Of course, councilor. The power to initiate appropriations rests solely with the Mayor and not with the City Council. He can do anything he sees fit. The question comes on Councilor Linehan's amendment to Councilor Coffey's amendment. All those in favor say aye. Those opposed no. It is ordered. Now, the question comes on the amendment as amended. Those in favor say aye, those opposed no. It is a vote, and so ordered. Now the question comes on the passage of the order as amended. All those in favor say aye, those opposed no. It is a vote and so ordered.

The order as amended was passed.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Report on petition of York Realty Corporation (referred Jan. 20) for driveway opening at 137 Lincoln street—recommending that permit be granted.

The report was accepted, and the permit granted under usual conditions.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Edward F. Collins (referred Jan. 6) to be constable without power to serve civil process and to serve without bond for term ending April 30, 1947—recommending that appointment be confirmed.

Report on appointment of Richard H. Burke (referred January 17) to be constable without power to serve civil process and to serve without bond for term ending April 30, 1947—recommending that appointment be confirmed.

The reports were accepted, and the question came on confirmation of the appointments. Committee, Councilors Russo and Chase. Whole number of ballots 12, yeas 11, nays 1, and the appointments confirmed.

FIVE-DAY WEEK FOR ALL CITY EMPLOYEES.

Coun. HANNON offered the following:

Resolved, That the Boston City Council, in meeting assembled, go on record as favoring a five-day week for all city employees.

Coun. HANNON—Mr. President, there is legislation filed at the State House now for the Commissioner of Banks to allow the banks to close down on Saturdays. We have adopted the same custom of doing this during the summer months,

and I think we might well follow the general trend toward the five-day week. I hope this order is adopted.

The order was passed under suspension of the rule.

SALARIES OF REGISTERED NURSES.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to confer with the proper Federal authorities to the end that the salaries of registered nurses be subsidized by federal funds and placed on a nationwide standard in order to equalize the salaries and working hours of registered nurses in all areas and thereby curtail the current loss of nurses to higher paid positions outside of their profession.

Coun. HANNON—As is admitted by everybody, Mr. President, one of the greatest shortages we are facing is the shortage of registered nurses. We here in the Council I think have done a very fine job in trying to alleviate some of the difficulties in the Boston City Hospital, but it does seem it is almost impossible to obtain nurses during the hours of three to eleven. During the past week, I have had two requests for nurses. It is hard to obtain them for any hour, but it is practically impossible to obtain nurses to work during the hours of three to eleven. At the various meetings in the City Hospital relative to this shortage, one of the facts that impressed itself upon my mind was the fact that many places are offering nurses much more than the City of Boston is offering. I think the councilor from South Boston has fought long and hard to have this condition alleviated, and I think some steps have been taken toward remedying this situation, and the curing of this discrepancy. However, I think it is not merely a local situation, but that it is a state situation and it is a national problem. It has been written up recently in Chicago and in national magazines, and it is something, I think, the Federal government should interest itself in. I therefore suggest that the Mayor take up with the proper authorities to have the government subsidize nurses so that nurses everywhere will have the same salary and have the same working conditions. That at least will protect them in the City Hospital and various other municipal institutions and state institutions so that they will not be lured away from the state and city hospitals by the thought of obtaining more money in a similar private institution.

President KELLY—Councilor Russo, talking on the order.

Coun. RUSSO—Mr. President, I heartily agree with the order, but I would like to bring out, Mr. President, this is not talking so much in regard to the nurses because we all realize that there is a shortage of nurses, but I think something ought to be done about giving the right information at the hospital. Something ought to be done, they should be given the right information as to why there is any shortage. I had occasion to call Dr. Manary about ten days ago and ask why they had discontinued allowing the family, that is, relatives of the sick to stay there during the hours that they were unable to get nurses, from three to 11.30. This particular person I am speaking about had been confined in the hospital for over 22 days, and for 22 days the family had paid for two nurses every day. They had been trying to get the third nurse to take care of the sick, and they had been unable to, so they were alternating between themselves to take care of the sick during those hours. But, to take and behold, they were told by the nurse up there that they could not stay there and do that any more. When I got in touch with Dr. Manary and brought that to his attention, he told me that they were allowed to be there and to inform them in that regard, but I found out the next day, Mr. President, this person was transferred from the room she was in, in a semi-private room, to a ward. I am wondering, are those the tactics that are being used in order to clamp any patient down there that may, in slang, "squawk"? Are those the methods being used in the hospital, or are we trying to do everything in order to bring that hospital to the standing it should have? If these are the tactics, I am wondering how many patients have we in there that just because from fear of speaking do not say anything because they do feel they will get worse treatment. However, I can say this, as far as Dr. Manary's office is concerned, I got in touch with the office and he wasn't there, but I spoke to the lady there, and I was assured the patient would be transferred back. However, this is a week ago

and she has not been transferred. I am saying the trustees of the hospital should take notice, I intend to investigate further in this case, and I am wondering how many more cases have we in the hospital that might be in a similar situation, maybe not getting the right treatment, and they are afraid to speak, because if they do some other method will be used upon them that would say to them indirectly, "Shut up or otherwise get out."

Coun. HURLEY—Mr. President.

President KELLY—Councilor Hurley.

Coun. HURLEY—Mr. President, I heartily agree with Councilor Hannon in his order submitted today about the subsidization of nurses. I know an order was introduced by the councilors from South Boston asking for something which in our opinion the people here in the Council who understand the hospital did not think was something extraordinary. Knowing conditions as explained by the councilor from Ward 13 (Councilor Hannon) in the Federal hospitals, and, yes, small private hospitals in Boston, we asked the Mayor and the Board of Trustees to consider granting an increase, and named the sum of \$600, not too large a sum we know, but it would do something in getting girls who had graduated in our hospitals and who had gone outside of Boston and who would love to be back working with the girls with whom they trained and graduated, to return if the compensation was nearly comparable with what they are receiving outside the city. Mr. President, I sincerely hope this order will pass, but I would like to call the attention of the Mayor to the fact that the Board of Trustees should get busy now and not wait for subsidization, but to get busy on the order presented by the councilors and grant this \$600 increase now. I was at the hospital last night and this morning. Conditions are bad. The service in the hospital is the best, but after the operation we are asking for something that is impossible to get if we ask for nursing care. I would like to take the members of the Council to the hospital some time when we are not supposed to be around, say, at eleven o'clock, and to walk into the Medical Building and find a student nurse in charge of a ward. The ward consists of a big ward with many beds plus many small rooms with two, three, or four beds. You find no one on the floor, and you wait there. The telephone rings, and you wait for a nurse to appear. Finally the nurse comes running up the stairs, and she wants to be excused, because she was running the ward downstairs. She has two wards on two floors. I thought it was bad when I spoke on the Council floor the last time talking about conditions. In the Dowling Surgical Building you have a male and female ward on the same floor, and you have a violation of the city law in that the fire door is open at all times. This nurse working in the female ward would hear the telephone ring in the male ward and she has to answer it. But can you imagine, gentlemen, you go into a building where there is a male and a female ward on two different floors, and you find out one nurse is taking care of the two floors, and this situation is prevalent every night in the Medical Building at the Boston City Hospital. What is the cause of it? The cause is, largely, as the councilors stated on the floor, the lack of graduate nurses, and the cause of the lack of graduate nurses is the lack of compensation for the work they are doing plus, and I state this forcibly, Mr. President, and I want to call it to the attention of the members here that we should rise up and go to the second floor of this building and demand that the Mayor of Boston bring the trustees of the Boston City Hospital in here and ask the Director of Nurses and the Board of Trustees for information. They are coming in here next month with a good sized budget, a record budget, but they are not coming in here and showing us if this money is being well spent in the School of Nursing. I contend without proper management that no business, no organization, is good, and my contention, Mr. President, is that the School of Nursing, directed by Miss Cecilia Knox, is positively not directed to the best interests of our city and our great hospital. You hear of dissatisfaction not alone on salary compensation, but that they are quitting at the City Hospital because of the tactics used by the czarinas, Miss Knox, as director. Mr. President, just picture this, girls who have graduated and worked in our institution for 20 years and longer have a just complaint, and they put it in writing, and they direct the letter to their superior, the Director of Nurses, the Director of the School of Nursing,

and receive no reply. They follow it up with a second, a third, a fourth, and a fifth letter and receive no reply. And then in desperation they get on the telephone and they ask for her, and when they mention who they are and what their business is, they are insulted by "Don't you dare bother me. I am a busy woman. Don't ever let this happen again that you bother me calling me up and writing me letters." What kind of business is this? What kind of organization is this? Mr. President, when you have to stand here and have complaints from all over the city regarding the lack of nurses and care in the hospital, the nurses in every ward in the hospital will attribute the lack of nurses not alone to money, but on account of conditions in the School of Nursing in the Boston City Hospital. Mr. President, I hope this order passes, but I also hope with the cooperation of the entire membership we will bring it forcibly to the attention of the Mayor that the Board of Trustees should come to his office, and I know if we meet them in his office we will get far better treatment than we did last year when we went to their office and tried to get some facts, some figures, that would be helpful to us in the Boston City Council in helping the hospital to be a great hospital, a greater hospital than it is. We have everything there, Mr. President. There is not a hospital in this section of the country that has the facilities for taking care of the poor as we have in this great city of ours. We have great doctors, the most eminent surgeons and medical men in the entire world located there. But, having all that, if we have not the nurses to take care of the patients after their illnesses have been diagnosed or the operations have been completed, our hospital has to be a failure. I charge, Mr. President, it is not only a question of salary, it is a question of organization, and I lay the blame at the door of the Director of Nurses. This has been before this Council since she assumed the office and has made it the office of a dictatorship. "Don't bother me, don't speak to me, don't write to me." If you get to the place and call on the telephone and wish to see her, she has to be seen by appointment, you are told. You make the appointment a couple of weeks ahead, and then she is out at the State House. Mr. President, I hope this order passes, and I hope also the members of the Body here will all cooperate and wait on the Mayor to see if we cannot bring this to a head. Thank you.

President KELLY—Councillor Kinsella.

Coun. KINSELLA—Mr. President, will the clerk kindly read the order?

President KELLY—The clerk will read the order.

(The clerk read the order.)

Coun. KINSELLA—Mr. President, there must be some truth in what Councillor Hurley said. I don't know Miss Knox, and I don't think that I would care to know her, but I heard as recently as ten o'clock last night from a City Hospital nurse who volunteered the information that Miss Knox—and this is a very serious charge to make—that Miss Knox is the one who has inflamed all the girls up there to seek more money, and, now that the money is granted, Miss Knox has been known to go around inflaming the same girls against the number of patients. In other words, Miss Knox describes many of the patients as the bum friends of the City Councillors. She has persuaded them to believe they are overworked because the councillors can get anybody in there under any conditions or protest, sick or well. I think if there is any truth in the statement made to me last night—and I want to assure you the statement came from a responsible person—if there is any truth in the charge Miss Knox is inflaming those girls into hollering about conditions and the number of patients, I think the City Council here ought to get on a horse and have something to say about the further employment of Miss Knox as Supervisor of Nurses. Mr. President, I would like to ask Councillor Hurley a question.

President KELLY—Councillor Hurley.

Coun. HURLEY—Mr. President.

President KELLY—Councillor Kinsella has a question to ask.

Coun. HURLEY—What is the question?

Coun. KINSELLA—Mr. President and Councillor Hurley, does Miss Knox hold that position by appointment or by contract with the trustees?

Coun. HURLEY—By appointment of the trustees and she can be removed any time by the Board of Trustees.

Coun. KINSELLA—I suggest she be removed. The order was passed under suspension of the rule.

PAYMENT OF MEMBERS OF BOSTON MEDICAL BOARD.

Coun. HANNON offered the following:

Ordered, That the City Clerk be instructed to include in the departmental budget for 1947 an amount sufficient to compensate the members of the Boston Medical Board \$25 each for their attendance at Medical Board meetings in consideration of annuity applications.

Coun. HANNON—Mr. President, the purpose of this order is to try to repay in a small way the leading medical men who give up their time in order to determine whether or not a man has died in the performance of his duties and whether their families should be given an annuity. I don't suppose we can pay them really what they are worth, but it was called to my attention that they are working for nothing. Many times we wonder why these petitions for annuities have been cast aside and are lying around. These men have got each and every week so many petitions presented that they must meet each and every Friday and spend hours considering these matters. I think we ought to pay them at least the menial salary of \$25 a day. If we brought a doctor into court, we would have to pay him \$50 for his appearance there. The least we might offer these outstanding men is \$25 a day. I believe they should be paid something.

The order was passed under suspension of the rule.

TAKING OF CERTAIN MOUNT HOPE LAND FOR VETERANS HOUSING.

Coun. CANTWELL offered the following:

Ordered, That his Honor the Mayor be requested to confer with the Boston Housing Authority with the view of taking by eminent domain the vacant land between the American Legion Highway and Neponset avenue in the Mount Hope section of Ward 18 for veterans housing.

Coun. CANTWELL—Mr. President, that is a section in my district. It is a progressive section and would make an ideal site for veterans housing because there is plenty of transportation into the city. It was taken over, I believe, some time ago by a cemetery, but I think we should make housing for the living instead of the dead; then we would be doing something.

The order was passed under suspension of the rule.

TRAFFIC LIGHTS AT HUMBOLDT AVENUE AND SEAVER STREET.

Coun. COOK offered the following:

Ordered, That the Traffic Commissioner be directed by his Honor the Mayor to install traffic signal lights at the junction of Humboldt avenue and Seaver street, Roxbury.

Passed under suspension of the rule.

VACATIONS AND SICK LEAVE FOR POLICE.

Coun. HANNON and BRYAN offered the following:

Resolved, That the Boston City Council in meeting assembled endorse pending legislation granting to the police of the City of Boston vacations up to 4 weeks and 15 days' sick leave each year up to a total of 90 days.

Coun. HANNON—Mr. President, the purpose of this order is merely once again to give voice to the thought we expressed a couple of weeks ago when we first adopted the rules and regulations for city employees, granting them pay for 4-weeks' vacation for 20 years of service and up to 90 days' sick leave with a maximum of 15 days for each year of service. At that time we excluded the Police Department because of the fact that there was some question or doubt as to whether the Police Commissioner, being appointed by the Governor, would come under the jurisdiction of the City Council and city ordinances. However, there is now pending before the Legisla-

ture a bill which directs the commissioner to grant to police officers the same vacation periods and the same sick leave as other city employees receive. This order is merely voicing our approval of this legislation.

The order was referred to the Executive Committee.

LEAVE OF ABSENCE TO ALFRED C. HOLLAND.

Coun. KEENAN and FISH offered the following:

Ordered, That Alfred C. Holland, stenographer-clerk, be granted one year's leave of absence, without pay, to take effect January 28, 1947, at 5 p. m.

The order was passed under suspension of the rule.

CLEANING UP OF BOOKIES.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor confer with the Police Commissioner regarding the cleaning up of bookies in the City of Boston.

Coun. COFFEY—Mr. President, for a long while now I have been debating whether to introduce this order or not, but after the way I have seen things happen between Thanksgiving and Christmas and up to New Year's, I have decided some action should be taken. About an hour ago on the floor I saw fit to call the Boston Police Commissioner a puppet. One of the gentlemen from the same district as the Police Commissioner saw fit to defend him and say he is not a puppet but a very independent man. In other words, I suppose he meant he is a good Police Commissioner and could not be reached by anybody. I heartily disagree with the gentleman from South Boston because the commissioner can be reached, and there is no doubt in my mind that he has already been reached. What has prompted my action against the bookies in East Boston is, during Christmas time, when we were looking for a few baskets, these so-called 4F'er bookies would not contribute one five-cent piece to a collection some of the public-spirited citizens saw fit to take up so that some of the poor over there would get a basket and a few toys for their children on Christmas Day. Not one five-cent piece was contributed by these bookies. About 18 months ago we had a Captain Britt assigned to the East Boston district. I happened to meet him the first day he came over, and we had a short talk that night. He told me that he was over there for one reason—the Police Commissioner had told him to clean up the conditions in East Boston. For the first year, Captain Britt, if I may say so, raised merry hell in East Boston. He was getting an average of four bookies a week. He never could get the dice game being run over there, the dice game at which it is nothing to see a hundred thousand dollars pass hands in one night, and I am not kidding you one bit when I say that. I think the police in this room know it. There is a dice game run in my ward four nights a week where it is nothing to see a hundred thousand dollars in circulation, nothing at all. The captain knows the dice game is operated and claims he does not know where it is operated. I put out a little card all over the district which said, and some of the people in this room saw that card, "The bookies cannot afford to contribute one penny for a basket or for toys for the poor of the district, but they can pay the police sergeant \$20 every week for protection." That is what they are doing, and when I took this up with Captain Britt and told him that, he said, "I know it, but what the hell can I do about it? There is nothing I can do about it." In my last talk with the captain, I said to him, "How is it you only make one arrest a month now, whereas you used to average four a week?" He said, "The Police Commissioner told me to lay off." That is what Captain Britt said to me, and I hope I never leave this room if I am not speaking the truth. I hope I don't leave this room alive if I am not speaking the truth, that he said, "You know how it is; the Police Commissioner told me to lay off." For months and months they have raised a fund of money to get the police captain out of there, and for the last five or six months everything is going along good, and the bookies are not interested any more in having Captain Britt removed from the district.

They paid money to substantial citizens to go to the Governor, to make contacts to have Captain Britt removed from East Boston. But the last five or six months their efforts have been withdrawn; they don't want him removed now because he is playing ball with them now and he is playing ball because of what I said a few minutes ago, that the Police Commissioner is nothing but a puppet. My words are proved here today by the actions in East Boston in the past five or six months. Go over there, and you will see the record speaks for itself. For a solid year you get an average of four arrests a week, with the bookies being barred out of restaurants and barred out of pool rooms and barred out of barber shops, but within the last five or six months the record will show that there has been an average of one arrest a month, which proves the captain's words were right. The Police Commissioner is his boss, and he has to do as the Police Commissioner tells him. Yet I had to go to a lot of trouble to open a diner in East Boston and to let a disabled veteran sell hamburgers and hot dogs. Mary Driscoll said he did not need a permit, and the Board of Street Commissioners said he did not need a permit. He opened it Saturday morning, and it was closed Saturday afternoon. He opened for two hours, and then the captain closed him. I asked the captain about closing him and allowing the bookies all around the square, but the Police Commissioner himself had to come over there and he was very much put out because he had to reverse his decision, and the captain's decision, and give this young boy an opportunity to make a living for himself. He was very much put out about it that he had to do an about-face. I say the Police Commissioner knows no more about policing the City of Boston than I do, and I am not cut out for the job, and he is not cut out for the job. He is an engineer by trade, and what does he know about police duties? There are bookies right up in police headquarters. They have them everywhere, and everybody knows that. They are in the State House, they are in City Hall, and they are in every public institution, but they will go out and raid the South Boston Yacht Club, and what did they get out of that? A few fellows playing poker. Don't they play poker in the back room of police stations? The bookies can operate and the bookies can run the city and do any damned thing they want. The last time I took to my feet and went after the Police Commissioner was a long time ago. I told about a hall being operated by a bookie, and what happened? About three months later they raided that hall and got over a million dollars of equipment out of the hall and sent the big bookie to State Prison for three to five years. My words were proved then, and they will be proven now. I am going to keep after the Police Commissioner and Captain Britt until he cleans out the 4F bookies and I have to take to my feet every Monday, and if I put ads on the front page of the papers to let the public know the Police Commissioner knows the right people to keep him in there.

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linehan, talking on the order.

Coun. LINEHAN—I rose to the defense of Commissioner Sullivan because of my personal knowledge of the gentleman. I don't know what he does as Police Commissioner, and I don't know all the conditions that exist in South Boston or East Boston, but I do know that most gentlemen who have known Commissioner Sullivan over a period of years may not like the gentleman personally perhaps, but they do commend him for his honesty. I don't know whether what the councilor from East Boston said is true. If it is, I still say Commissioner Sullivan is true, and I don't think anybody would dictate to him as to what he should do. If he is doing it, he is doing it of his own free will. I think that is the man's reputation. Certainly, if there are bookies, and plenty of them, in East Boston, and if the Police Commissioner won't do anything about it, there is no reason in the world why the gentleman from East Boston cannot get in touch with the District Attorney and, if the condition is that bad, perhaps that is what he should do. I still think Mr. Sullivan is no puppet, because nobody can tell him what to do without his wanting to do it. That is the reason I got up to defend Commissioner Sullivan.

Coun. COFFEY—We can forget the puppet angle of it, but why the hell go up to the District

Attorney's office? If they want to put me on as a special investigator at five grand or ten grand like the Police Commissioner gets, I will do a better job than he is doing—I will clean up East Boston. There are enough honest cops who would like to clean it up over there, but the cops know the sergeant is getting 20 bucks a week and they are getting nothing. You bet they are not satisfied. The order was passed under suspension of the rule.

ANNUITY TO DEPENDENTS OF JAMES B. McCARTHY.

Coun. COFFEY offered the following:
Resolved, That the City Council hereby favors the enactment of legislation for the payment of an annuity to the dependents of James B. McCarthy, late member of the Fire Department, who died from injuries sustained in performance of his duty; provided that said legislation contains a referendum to the Mayor and City Council.
Passed under suspension of the rule.

PETITION OF BOSTON WATERWAYS, INC.

Coun. LINEHAN—Mr. President, I move to take No. 1 from the table, under unfinished business, as follows:

1. Petition of Boston Waterways, Inc., for license to operate ferry service, Congress street to East Boston.

On January 20, 1947, the Executive Committee submitted a report recommending that license be granted.

President KELLY—Councilor Linehan moves that No. 1 be taken from the table. The question is on the granting of the license.

Coun. HURLEY—Mr. President, I know that a week ago to day we had a lot of debate here, and I guess we tired the gallery and ourselves out. I was one of the members who was not present at the roll call, and I was not present because I was absent deliberately so that the Body would not be able to use steamroller tactics, something unusual, in going back to Executive Session the second time. If I am guilty, I stand guilty before the Chair of leaving the meeting intentionally so that there would not be a quorum.

Coun. LINEHAN—Mr. President, President KELLY—Councilor Linehan, for what purpose does the gentleman rise?

Coun. LINEHAN—Does the councilor yield for a question?

Coun. HURLEY—Not right now. President KELLY—Councilor Hurley.

Coun. HURLEY—I notice in the Boston *Traveler*, which I don't think all the members have read because very few get the paper in my district, either the *Herald* or the *Traveler*. So that when they write damaging editorials, they will have to give them to some other paper sold in my district, because they do not sell the *Herald* and *Traveler* there. The headline is "The Council Quibbles."

"Most public-spirited citizens would agree that the Boston Airport is entitled to the best transportation facilities possible."

I will agree with that.

"There is a minority on the City Council, however, which seems much more interested in forensics and political shenanigans than constructive action."

That may be true, too, but I want to say that does not include me.

"To delay judgment on a bona fide petition for the operation of water ferries to the air field, this minority has pulled many tricks out of the juggler's box."

So this must be with reference to the people who stayed here last Monday when they are talking about pulling tricks out of the juggler's box.

"Councilman Hurley tried to refer the ferry bill back to the committee on licenses."

Coun. MUCHNICK—Mr. President, President KELLY—Councilor Muchnick, for what purpose does the gentleman rise?

Coun. MUCHNICK—A point of order, Mr. President.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—It seems to me the subject under discussion, Mr. President, is No. 1 on the calendar.

Coun. HURLEY—That is what I am speaking on.

President KELLY—The Chair will rule he is talking on that subject.

Coun. MUCHNICK—This is with reference to the *Traveler* and not the calendar.

President KELLY—Councilor Hurley.

Coun. HURLEY—That is not true. I did try to have it referred to the Committee on Licenses so that the chairman of the committee who is a resident of the district which is a part of this license would have a chance to be here and defend his district or advocate the granting of the license. It was agreed in Executive Chamber that this would be laid on the table for one week. When it was laid on the table for one week, I took it for granted it was as a result of a speech made by Councilor Russo asking for fair play for the councilor from Ward 1. In my eight years in the Boston City Council, that was the first time we ever left the Chamber to go into Executive Session twice in a day. So probably that is what the *Herald* is talking about, or the *Traveler*, when they refer to pulling tricks out of the juggler's box. I used to think when I was a young fellow that when I read an editorial—

Coun. LINEHAN—Mr. President, President KELLY—Councilor Linehan, for what purpose does the gentleman rise?

Coun. LINEHAN—A point of order, Mr. President.

President KELLY—Will you state your point of order?

Coun. LINEHAN—I don't think he should be permitted to impugn the motives and actions of his fellow councilors as to what was done. It was all done legitimately.

Coun. HURLEY—I am talking on the order, and I am talking about pressure being used by Boston papers trying to intimidate councilors if they don't go along with the wishes of one man, Mr. President. I was talking about when I was a youngster reading editorials, I thought, "Gee, this is the will of the people."

President KELLY—The Chair will rule the councilor is in order.

Coun. HURLEY—But I have been around a little bit in the last seven or eight years, and I have been into the rooms where certain gentlemen have been writing editorials, and have been in a room where if the light went out you could not see your hand in front of you, and they were voicing their opinions and putting it before the Council—

Coun. MUCHNICK—Mr. President, President KELLY—For what purpose does the gentleman rise?

Coun. MUCHNICK—A point of information, President KELLY—Will Councilor Hurley yield for a point of information?

Coun. HURLEY—No.

Coun. MUCHNICK—I am asking of the Chair and not of Councilor Hurley.

President KELLY—Would you state your point of information?

Coun. MUCHNICK—Would the Chair inform me how far one must go before he be out of order?

President KELLY—The Chair will inform the councilor this editorial was written in regard to the subject matter before the Council, and Councilor Hurley is still in order in discussing the editorial, Councilor Hurley.

Coun. HURLEY—Mr. President, I always thought, as I stated before, that these writers represented the will of the people in general, but I have since found out this man sits in a little bit of a room and writes his own opinions, trying to influence the people of the city who would read it. What is to stop a man who has an interest in a certain proposition, some business, employed by a Boston paper who wants to influence us, yes, intimidate us; if we don't do his bidding, we will be punished by the voters of our district. Mr. President, I think this was not called for. It is not the will of the people. I think the men here representing the twenty-two wards in Boston represent the will of the people. Not the people from Newton, not the people from Winchester, but the people from our own respective districts, and when the time comes that we don't, we won't be here, some one else will take our place, but I am satisfied on any action I have taken in the Council, it is for the best interests of the people living in my particular section of the city, and as a rule the will of all the people of Boston. We tried to have this thing held up so I made a little study of my own. I was at the Congress Street Bridge yesterday after Mass, and I was at the Fire Engine 41 and

then to the Public Works Department. I have spoken to the engineer of the Bridge Division, and he informs me definitely he is opposed to the granting of the license in that particular location. He states that on December 5 he sent a letter to the Boston City Council on Licenses. Here is the letter regarding that matter.

"Re Water Taxi: Airport to Congress Street Bridge.

"In connection with the application for the right to operate a water taxi service across Boston Harbor, between the Logan Airport and the Congress Street Bridge, which you now have under consideration, I wish to advise that if such a license is granted, it should be restricted so that none of our drawbridges will be required to make special openings for this service.

"I am advised that this proposed service is to be to the downstream side of the Congress Street Bridge, that the cruisers to be used are six (6) feet high above the water line, and that the running schedule will be at about twenty-minute intervals.

"On these premises, the only bridge affected would be the draw span of the Northern Avenue Bridge. This structure affords a vertical clearance of only about 7.7 feet above mean high water and as little as four (4) feet or less at extreme high tides. From this data you can readily see that if we were required to make special draw openings for the proposed water taxi service, that this draw span would probably be open continuously for two or more hours whenever the tides are running higher than normal.

"This situation of course would be inconceivable, and the proposed water taxi service, if granted the license requested, should be made to make other arrangements at higher than normal high tides so that no special draw openings will be required."

After getting this information, I went to the Northern Avenue Bridge, and here is what I found out, that at normal high tide it is only seven feet above the water, and that is placid, smooth water through the under structures of the bridge, leaving about a foot and a half between the top of the boat and the bottom of the bridge structure. Any swell at all in the water, anything in the water, would mean even on ordinary high tide that bridge would have to be opened every time a boat left Northern Avenue to go to East Boston and every time a boat left East Boston to come to Northern Avenue. Now, as to the construction of the machinery operating this particular draw-bridge—and this discussion on the license I think will be very interesting to all the people of Boston in regard to a safety measure which I will explain now. When this bridge is opened, and a boat passes through, and the bridge is then closed, it takes from 20 minutes to a half-hour to build up the 210 pounds of compressed air necessary for the reopening of the bridge. I brought it to the attention of the Fire Commissioner because they have a boat anchored on the other side of Northern Avenue Bridge. If a freightboat or an American Sugar Refinery Company boat should go through the bridge, and the bridge closed, and a fire broke out in South Boston or in my area, Ward 8, which the fireboat controls, how long would it take for the fireboat to go through the bridge? Well, councilors, a fireboat would sit at the bridge from 20 minutes to a half-hour until we could open the span again. I spoke to the Mayor and said,

"This is a dangerous situation, Mr. Mayor, regardless of the taxi service. Any boat going up the harbor, if a fire broke out, and if we had the fireboat equipment at the bridge for half an hour, the place would be in ruins by the time they approached it." All winter, when they are dumping snow and ice into the harbor, the snow and ice rises above the water level, and that would necessitate the opening of the bridge. There is a second letter dated January 23, 1947, to the Committee on Licenses:

"Re Water Taxi: Airport to Congress Street Bridge.

"With reference to my letter to you, dated December 5, 1946, regarding the issuance of a permit for the operation of a water taxi service from the East Boston Airport to the Boston end of the Congress Street Bridge, over Port Point Channel, I wish to further advise that I have since inquired into the legal effects of restricting the proposed permit by prohibiting the taxi service from requesting special openings of the Northern Avenue Bridge.

"It appears that, according to Government regulations, any vessel can properly demand an opening of any drawbridge, if necessary to permit its passage through the channelway, except at properly authorized so-called closed periods. In effect, this would mean that after the water taxi service has obtained its permit and is in operation, it could properly call for an opening of the bridge if necessary for its passage through the channelway, probably regardless of any restrictions in its permit. Such action, if taken, would result in either swinging the Northern Avenue draw off (closed to vehicular traffic) for long periods at times of high tides, as mentioned in my first letter, or it might lead to complex legal difficulties to cancel a permit because of the permittee exercising his legal rights under Government regulations.

"In consideration of the facts presented in my letter of December 5, 1946, and the possible legal difficulties presented above, I, for the good of the public in general, most strenuously oppose the issuance of any permit for water taxi service involving special openings of any drawbridge within the city limits.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works."

I think that in itself, Mr. President, would necessitate the laying of this matter on the table or referring it back to the Committee on Licenses, so that they may bring Commissioner Curley, the engineer in charge of the bridges, and someone connected with the Bureau of Navigation, United States Government, and also speak with the men at the bridge and the Traffic Commissioner. They tell me now that Deputy Henchy many times has gone down there trying to rush the operation of the bridge when Atlantic Avenue and Congress Street have been tied up into a snarl after a boat has passed through, and that it has taken hours to untangle the traffic snarl created through the city as the result of this opening. Mr. President, as a result of this information, I think everyone, no matter how much they may be interested in the granting of this permit, will be fair enough to order this thing back to the Committee on Licenses and specify that it have a hearing no later than this week. I understand that there have been delays, and a lot of times we have delayed unnecessarily on matters of this kind, but I will make a motion that this matter be referred back to the Committee on Licenses with the provision that the parties interested be so notified and appear before this committee no later than Friday of this week.

President KELLY—Councilor Hurley makes a motion that this matter be referred to the Committee on Licenses and the parties interested be notified of a meeting to be held no later than Friday of this week. Talking on the motion, Councilor Linehan.

Coun. LINEHAN—Mr. President, I suppose the reason for the postponement is to find out whether or not we can grant this license without opening up the bridge and, if the gentleman from Ward 8 (Councilor Hurley) does not desire to introduce an amendment, I will introduce an amendment which will say, "No drawbridge shall be opened to permit the boats of the licensee to go under the bridge at any time," so that, if that is the big reason why he is objecting to the consideration of this today, that will clear that up. I think the other councilors will vote for that amendment, which means that this licensee will agree as a condition in the license not to ask for the opening of any bridge in the City of Boston to permit passage of his boats at any time. There is no question, it seems to me, that if this is made part of the license granted, he would have to live within it, because if he does not there is nothing to stop the City of Boston from saying he is not living within the license granted. I would like to know from the clerk, through you, Mr. President—

President KELLY—Councilor Hurley, for what purpose does the gentleman rise?

Coun. LINEHAN—I will be glad to yield to the gentleman.

Coun. HURLEY—I would like to ask the gentleman a question.

President KELLY—Does the councilor yield?

Coun. LINEHAN—I yield for the question.

Coun. HURLEY—I would like to ask him to read this.

Coun. LINEHAN—I have read it.

Coun. HURLEY—It states for any boat with a license they have to open the drawbridge regard-

less of any stipulation in the license or permit. They have to do it.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick, for what purpose does the gentleman rise?

Coun. MUCHNICK—I thought Councilor Linehan had yielded to Councilor Hurley.

President KELLY—He did. Councilor Linehan still has the floor.

Coun. LINEHAN—I yielded for a question.

President KELLY—Councilor Linehan.

Coun. LINEHAN—For many months now we have listened to the arguments for and against this particular license. Last year there were many of us in the so-called militant minority who were defeated week after week trying to get more information on a matter involving the expenditure of hundreds of thousands of dollars, and time after time we were defeated. Of course, we did not use any roughshod tactics because, if anybody was roughshod, it was not the so-called minority. Thank God, we can still smile after defeat. Some day we might win, and we can smile a little wider. It is pretty good when you can smile when you lose day after day. I hope all the councilors do the same thing if they occasionally have a loss. To my way of thinking, if this matter goes to a vote today, it is going to be a very, very close vote. I wouldn't bet it would get by or get defeated, but I for one would like to see this thing voted on today. I am getting pretty sick and tired of it. Naturally it was put over last week because we did not have a sufficient number of councilors to vote on its passage. Probably it would have passed last week if we had a vote on it, but it is before us again, and it seems to me we have listened to all the merits and demerits in this matter, and I should think the licensee by now would like to get the damned thing over with, one way or the other. I know I would like to see it beaten or passed. If the licensee agrees, and I believe he will, not to have the drawbridge opened up at any time for the passage of his boats, it can be put in as a condition in the license, and I think that overcomes the objection raised by the councilor from Ward 8 (Councilor Hurley). There is no doubt the gentleman can get other spots to start at just prior to reaching the Northern Avenue Bridge. There are other spots, two or three, from which he can select, so that when we come to the point where the tide is extremely high and if, as the councilor from Ward 8 said, the boats will be unable to pass under the bridge without its opening, the licensee can then stop at this substitution or whatever you call it. It seems to me that objection is overcome. The gentleman from Ward 8 can introduce it, or I can make the motion if he so desires. Probably looking out for the interests of the city, I myself, will file it after the motion is voted on as to whether or not this should go back to the Committee on Licenses. We have listened to the distinguished councilor from Ward 8 read the several letters from the distinguished Commissioner of Public Works and, by the way, I am sorry he did not send the members copies of it. It seems to me we are entitled to the information on it. Now, we have heard the contents of the letters read, and we know what we are going to vote on because that information is before us. As I say, I, for one, if the councilor from Ward 8 does not introduce the amendment, will introduce it. I think it should read, whereby the licensee will not be permitted to request that the bridge be opened at any time for the passage of his boats. Naturally, this gentleman has to comply with whatever the wishes of the Council are with reference to the granting of this license, but God help us and save us, I have never seen a man looking for a license who had to sit and to listen to so many amendments tacked on to a license. The poor gentleman is patient, I suppose, and some of us councilors are patient to have listened to so many amendments. The one amendment which was passed, I think, is the amendment relative to the insurance stipulation which provides \$10,000 for each passenger or \$210,000 for a boatload. We have overcome the objection of insurance, and I think if we put on that amendment, that overcomes the objection as to whether or not we will open up the drawbridge for the passage of the boats. Are there any other things we want to discuss about it? If there are, I think we should do it right in open Council.

Coun. SULLIVAN—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. SULLIVAN—If he yields, I will give him a good reason.

Coun. LINEHAN—I yield for a question.

Coun. SULLIVAN—I will give him a good reason.

Coun. LINEHAN—I will yield for an answer.

President KELLY—Councilor Sullivan.

Coun. SULLIVAN—The gentleman asked a question of all the members, if there are any further objections to it, and I have, and I have voiced them ever since this thing came in here, and not one word of my objections has ever appeared in the Boston papers. If he wants to let me continue, I will give them right out here on the floor.

Coun. LINEHAN—I refuse to yield.

President KELLY—Councilor Linehan, so that you may understand the Chair, if you yield for an answer from Councilor Sullivan, you yield the floor to him.

Coun. LINEHAN—After his half question, I think I should continue.

President KELLY—Councilor Linehan.

Coun. LINEHAN—I forgot to mention the question of taking business or depriving taxicab drivers of fares was raised in the committee. That is not a new question, that was the first question raised, so I don't think I was in error in not mentioning it. I asked if there was any new question, any new ones.

Coun. SULLIVAN—I still have a new one, and the gentleman knows it.

President KELLY—Councilor Linehan, will you yield for an answer? Wait a minute.

Coun. LINEHAN—May I say, Mr. President, as long as I have the floor, I don't know of any other, but when he takes the floor he can tell me.

Coun. SULLIVAN—Tell him not to ask those questions.

President KELLY—Councilor Linehan.

Coun. LINEHAN—Mr. President, will you tell the gentleman I will debate as long as I see fit and as long as I am within the rules of parliamentary procedure, and as long as I am within parliamentary procedure neither he nor anybody else can force me into sitting down.

President KELLY—Just live up to the rules of the Council.

Coun. LINEHAN—Which I have done ever since I have been a member of the Council, and I challenge any member to say I have not lived up to the rules of the Council. I think it is about time we voted on this matter one way or the other. We all know the arguments for and against. I, for one, hope it is either passed or defeated today. I don't want to see it go into committee and waste more time. On many occasions last year I asked for very important matters to go into Executive Session for more information and we were defeated time after time. Let us get the darned thing over with one way or the other. If it is killed, it is killed. If the gentleman from Ward 8 does not introduce the amendment about the passage of the boats, I will introduce it.

Coun. HURLEY—Mr. President.

President KELLY—Councilor Hurley, you have spoken.

Coun. HURLEY—I want to answer about the amendment. It won't take me a second.

President KELLY—Councilor Sullivan or Councilor Bayley, neither one having spoken. Councilor Sullivan.

Coun. SULLIVAN—Mr. President, up to now we have heard some of the objections, and one of the objections I have raised, and have raised ever since this petition has come into this Body has been the revenue, because it is vitally going to affect the city treasury. I think it is the best of all reasons why this petition should not be granted. I don't know why, when I heard my name was mentioned in the editorial—

President KELLY—Councilor Keenan, for what purpose does the gentleman rise?

Coun. KEENAN—I doubt the presence of a quorum.

President KELLY—The clerk will call the roll. The roll was called, and the following members responded:

Councilors Bayley, Bryan, Cantwell, Carey, Coffey, Cook, Fish, Hurley, Keenan, Kelly, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—17.

President KELLY—There are seventeen members present.

Coun. CHASE—Here.

President KELLY—Eighteen members present, and a quorum is in attendance. Continue.

Com. SULLIVAN—When I saw or was informed my name appeared in the Boston *Traveler*, I knew it was not good because never to my knowledge would a Sullivan get a good comment in the editorial column of the Boston *Traveler*. I don't know why this editorial was written or whether the man who wrote it received all the information about what went on here last Monday. They can call me what they may, but I think I am right I will use any parliamentary trick in the book, and I used it last Monday to a fare-thee-well. I doubted a quorum last Monday, and I so told the members, and I walked out of the hearing. Today I made the quorum by walking in here. Ever since this petition has been in here, I have opposed it on one ground, that it was going to vitally affect the Sumner tunnel. Ever since the Sumner tunnel has been in operation, since 1934, they have had a deficit, from 1934 to 1944 they have only shown a surplus in 1945 and 1946. There was \$111,363.71 in 1934, and in order to make that up, that deficit was added on to the tax rate here in the City of Boston. In order not to take up too much time, gentlemen, the current total from 1934 through 1945 was a total deficit of \$3,155,464.84. Towards this, the state from 1940 to 1945 has contributed to the city \$600,000, thus leaving a grand deficit of \$2,555,464.15, which the taxpayers of Boston have paid over the past ten or fifteen years in tax rates. Now, taking the word of the petitioner himself that he will have to carry at least 300 passengers a day in order to make the thing go,—and being very conservative, I am only taking one-third of that figure, and one hundred,—100 taxicabs will be stopped from going through the Sumner tunnel, and entering the tunnel means they must return, that deprives the city of 40 cents a cab. A hundred cabs a day is \$40 a day net loss to the City of Boston, and that is not money that is due next week or next year or when you catch up to me, it is cash on the line. Gentlemen, from there, only taking 300 days of operating and giving the benefit of the doubt, taking 300 operating days, 300 days at \$40 is \$12,000 a year conservatively, a very conservative figure that the city will lose in the granting of this permit, and I might add a net loss of \$12,000 against all we can get from this gentleman on this petition, \$20 a year. Compare \$20 on the one hand for the granting of this permit and on the other hand that we are going to lose at least \$12,000, and that is a very low figure. How are these gentlemen who have to go to the state and ask the state to reimburse the City of Boston for the money going to explain that for \$20 a year they will take \$12,000 revenue away from the Sumner tunnel?

Com. LINEHAN—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Com. LINEHAN—Will the gentleman yield for a short question?

President KELLY—Councillor Sullivan, do you yield for a short question?

Com. SULLIVAN—No.

President KELLY—He does not wish to yield, councillor.

Com. SULLIVAN—I think, Mr. President, and gentlemen of the Council, that that is a good reason and a reason that has not appeared in the paper. The editorial here in one paper leads the people to believe that Sullivan is stopping progress. Sullivan thinks he is right regardless of the newspapers, and Sullivan is going to fight on his own two feet, he is not going to be dictated to. This is not the first editorial, and it is a fair question to ask, "What interest has the Boston *Traveler* in this Waterways?" It was not very long ago, gentlemen, that they condemned seventeen men in this Body and approved five for being honest. Look around, gentlemen. Who are the five and who are the ones that are trying to push this thing through? Were their names mentioned?

Com. LINEHAN—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Com. LINEHAN—A point of order, Mr. President.

President KELLY—Councillor Linchan, will you state your point of order?

Com. LINEHAN—I don't think the gentleman should be permitted to impugn the motives of any councillor by saying he is pushing anything through. I have not pushed anything in eleven or twelve or thirteen months except housing.

President KELLY—The reference to councillor's honesty is out of order. Councillor Sullivan, continue.

Com. SULLIVAN—I am going to fight this one way or another until it is defeated or by some means the city will be reimbursed for the money being lost in the granting of the permit, money which we will lose directly at the Sumner tunnel.

President KELLY—Councillor Bayley, not having spoken.

Com. BAYLEY—Mr. President, in answer to some of the arguments that have been raised, it is a pleasure to have some gentleman think of the tax rate and the expenditures of the City of Boston. I hope they have the same regard when the budget comes before us in another month or a month and a half, and join me in the fight to end unnecessary expenditures. I will be looking forward to that. Mr. President, answering the gentleman from Ward 8 (Councillor Hurley) regarding the opening of the drawbridge, I would like to read from a letter of the Boston Waterways:

"The fact that the Northern avenue bridge has such a low clearance at high tide was, of course, a major factor in the design of our boats, and one which necessitated considerable research before a satisfactory design was achieved. A study of tide records indicates, however, that with the use of the resultant boats there will be less than 3 per cent of the time during operating hours when the tide is so unusually high as to raise any question of there being ample clearance.

"On those instances when it is not possible to pass under the bridge with ample clearance, landings will be made at a secondary dock north of the bridge. In these cases, of course, passengers will be provided with free transportation from there to the regular landing."

Mr. President, that shows very well that landings may be made above the bridge. I have no objection to Councillor Linehan's proposed amendment, that the drawbridge will not be opened. When it is impossible to pass under the bridge, the petitioner has stated he is willing to have landings at the secondary dock north of the bridge and not ask that the bridge be opened. I also don't agree the taxicab operators are strongly opposed to this matter. We have heard from one or two representatives, but since the matter has been raised, I have talked to some of the taxicab operators, and a great many of them feel that it is a long jaunt over to East Boston, anyhow, and they could do just as good business in Boston Proper. They don't feel one way or the other regarding the license. The big problem is whether this will benefit the City of Boston. I believe it will. It is true there will be some loss of revenue on the matter, though I think it is questionable, but definitely we need to help the airport in the City of Boston to provide an easier way or another way for people who live in Boston to get across to the airport. At the present time, there are many traffic stoppages at Sumner tunnel, and possibly this will aid in getting across. The people who wish to go from the South Station or that district across the water have a right to have the transportation they wish. If we can make it easier for them to use the airport, and easier for the people who come into the airport to get into the center of Boston, we should do it. I hope we defeat the notion to refer it to the committee, and that we vote yes or no today without further delay. Let us see where each member stands, and vote today without further delay.

President KELLY—Councillor Cook.

Com. COOK—Mr. President, talking on the motion to refer the matter back to the Committee on Licenses, it seems to me the petitioner has met practically every condition that has been voiced by the opponents of this license. In fact, I was the one who brought up the loss of revenue by way of Sumner tunnel. We received an opinion from the Corporation Counsel that we could not put a toll charge on it. I think if this taxi service is put into effect and the number of passengers throughout the year indicates to the authorities at least \$12,000 or more revenue could be added through the Sumner tunnel, a bill could be passed through the Legislature. There was talk last week to refer this to the Committee on Licenses out of deference to the chairman of the committee to find out his views. It was very easy to find out his views because he was on record as against the license. We asked that the petitioner for the license increase his insurance from \$5,000 per passenger to \$10,000

per passenger and to \$210,000 per accident. He is agreeable to that. He would like to get this license so that he can order his boats and get them in time to try out this taxi service. The fact that one of the newspapers, or more than one, has seen fit to write editorials is nothing new. I have been commented on in the past and have never seen fit to try to argue with them. I don't think by getting up and arguing with them you show them courage one way or another. We must not mistake noise for reason, or gall for courage. Parliamentary tactics are allowed. If they were not allowed, we would not have them. There is nothing wrong in any body ruled by parliamentary procedure to take advantage of everything in the book to gain their purpose. However, we have had enough meetings upon a petition by a sincere veteran who wishes to go into business. We have heard all the arguments, and we have had all the facts. Last Monday we learned from a letter that was dated in December that there is a question of clearance of a bridge. In answer to that, the petitioner says that he will not ask that the bridge be opened. I don't know what more we can ask of him. Let us decide with the Council assembled whether we think it is to the best interest of the city to give this license to try out this taxi service, which taxi service I don't think exists in any other great city. I would like to see it tried out, and certainly if it proves to be a good business, it will benefit, I think, even those who oppose it, the taxi men. I think the taxi men have expressed themselves by saying they would rather have a short haul to this taxi, this water taxi, at the bridge, than taking a long haul from Boston through the tunnel to the airport where, in most cases, they don't get a fare back. If they do not wish to go through the Sumner tunnel from the airport, they can go around another way and not pay the 20 cents. I don't think we ought to have innuendoes and personalities. Those who think it is bad for the city have their reasons, and some of their reasons have good merit. Those of us who favor it have our reasons, and we think our reasons are better. The main point is, what is best for the city? That balances the disadvantage that may be had by the loss of, say, \$12,000 of revenue to the Sumner tunnel which is operating at a deficit. May I call your attention to the fact that there are plans and bills in the Legislature for highway expansion and improvement which call not only for an arterial highway but for a second tunnel, and I assure you the gentlemen of the Legislature, in view of their experience with the deficit that exists today from the single Sumner tunnel with the well-known traffic jams and the poor traffic management that results because there is only one tunnel, will see to it that the city will not bear the burden of any further deficits. I think I can safely say that the State House and the Legislature have come to the conclusion that what benefits Boston benefits the state, and if Boston loses the state loses, and because the state as a state has a great stake at interest in the finances of the City of Boston, they will see to it that any burden that might arise through the Sumner tunnel as it exists today, or a second one, will be borne in fair proportion by the state itself.

Coun. LINEHAN—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. LINEHAN—A point of information, Mr. President.

President KELLY—Does the gentleman yield?

Coun. COOK—Yes.

Coun. LINEHAN—I would like to tell the gentleman from Ward 12 (Councillor Cook) and the gentleman from Ward 9 (Councillor Sullivan) that I don't know whether they realize it, but for 1946 the Sumner tunnel, I remember distinctly, is operating on quite a profit.

President KELLY—Councillor Cook.

Coun. COOK—That bolsters my argument. What will happen if you send this back to the committee? If they have a private hearing, and they can, and there is nothing wrong with it, we will come back next Monday and those councillors not present at the hearing will have to argue again. If they have a public hearing it will be the same as the hearing that we had plus a few more editorials—and the editorials have not, so far as I have seen, dissuaded or persuaded any of the councillors. Sometimes editorials talk good sense, and sometimes we disagree with them heartily. Sometimes I have fought a measure in

spite of the fact that an editorial is for it. The question is, will we get any more valuable information? I don't think we shall. I think we have had everything pertaining to this subject before us. We have the Council here, and I think we ought to vote on it today one way or the other. I hope that the motion to refer it to the Committee on Licenses is defeated, and I hope that the petitioner gets this license with the condition and the amendment as suggested by the councillor from Ward 7 (Councillor Linehan). Incidentally, the point brought out that we cannot control conditions affecting Federal highways, namely, the sea, is true but, as the councillor from Ward 7 pointed out, we still have the power to give the license and we still have the power to take away the license if the conditions we add on it are not obeyed.

President KELLY—The question comes on referring the matter back to the Committee on Licenses. Councillor Coffey.

Coun. COFFEY—Mr. President, I would like to have the matter referred back to the Committee on Licenses. I want to be very fair on this thing. If it is the wish of the majority that it does not go back, it does not affect me in any way. Still and all, this letter did not come to light, and I knew nothing about it until I read it in the Boston papers, about the Public Works Commissioner making the statement that the drawbridge would have to be opened too often, and the second letter following it which says any boat has the right to blow its whistle and the attendants at the drawbridge have to open that bridge. The second good reason is the argument Danny Sullivan has been giving right along, the traffic revenue and the loss. The third good reason is that taxicab owners have opposed this from the beginning. Regardless of what statements were made here today, I know the taxicab operators are still opposed to this. I make it my business to visit the East Boston airport at least once a day, and sometimes I am down there twice a day, and if you don't believe it you can verify that. If I am not here, they can get me at the airport and they usually call and get me there. Every taxicab driver I have talked to is opposed to this. I have seen as many as fifty cabbies waiting there at the airport to get a fare. These fellows have families and they have to make a living. We have an argument today about a man looking for a permit to operate a water taxi from South Boston to East Boston. I don't care what your arguments are, I don't care what your reasons are, that is your privilege, and I will do as I darned please. This man happens to come from Cohasset. I made a statement in the Executive Chamber that I tried to locate somebody from Boston who would operate these taxis and who would be glad to go into the business. I ran into a couple of fellows named Burke, both brothers that have the money, that would like to get this petition. They have been in the boat-building business for about eleven years, and they think they could operate this successfully. I didn't tell them to come up here and file a petition. I didn't influence them in any way whatsoever, but they did ask me if there was any chance of getting it through, and I said, "I don't know, and the chances are I will oppose it." Some day we might find ourselves with a petition before us from the Burke brothers asking permission to operate these water taxis from South Boston to East Boston. I would like to get this back to the committee, and I would like to hold a hearing Friday, whether public or private. First of all, I would like to see the gentlemen who wants this permit. I have not met him as yet, and I wouldn't know him if he walked on the floor here today. I would like to get his views. Secondly, I would like to get the Traffic Commissioner here to find out what revenue, if any, would be lost through the Sumner tunnel. I would also like to get the taxi owners and some of the operators, if I have to bring them over from my district, those who operate exclusively to the airport, and ask their opinion. Something new has been called to my attention in the past few weeks. I found out there are no docking facilities at the East Boston airport. Now, I would like to know if the petitioner is going to build a dock out at East Boston or if he expects the state to build a dock for him. These are the things I would like to find out, and that is why I would like to have this go back to the Committee on Licenses and to hold a meeting Friday for the

gentleman who is the petitioner and also for Bob Curley, for his argument on the opening of the drawbridge. Have the Traffic Commissioner there to tell us if this is going to be a loss of revenue, and have the cab operators and owners voice opposition, if any. And most important of all is the docking in East Boston. There are no docking facilities at the East Boston airport at the present time. I would like to know who is going to build it. Mr. Fairbank, the petitioner, or the state. I don't care about the *Herald-Traveler*. Mullins, who is the *Traveler* and Fairbank, in my opinion are the same. Otherwise, why have so much space? I would like to have it go back to the committee to find out what they are going to do about the docks at the airport.

President KELLY—Councillor Carey.
 Coun. CAREY—Mr. President, I think it would be well for the petitioner here if this matter were voted on today. He has worked hard on it. He is in the gallery here today, I see. He is a man of responsibility and ability, and he is no doubt sincere in his desire to give the patrons of the airport a ready service and decent service. I have been in the minority here not only this year but consistently during the last nine years. I have had to take the bitter with the sweet, but more often the bitter than the sweet, and I believe colleagues of mine for years will attest to that. One cannot but be nauseated at the editorials that will appear in the papers condemning the City Council at times for their actions. As far as I am concerned, editorials will never change me one way or the other. I might be with the minority today, and, as I said a moment ago, I have most always been. There are times when I have been with the majority but when I do vote here, I try to vote in fairness to all concerned. It is unfortunate, as the councillor from Ward 12 (Councillor Cook) indicated, that sometimes one is persuaded to vote against a matter simply because an editorial writer, who is only an individual, sees fit to take a City Councillor or any other legislative body to task for delaying tactics. There have been, however, points raised during the last week that I think the Council should well delve into. It is well for Mr. Fairbank to say that he will at no time request that the bridge be raised. That we have not had as an established fact because the line has not run and he has not had an opportunity to demonstrate whether or not there will be occasions to open up the drawbridge. It is reasonable to assume most of the traffic on this waterways will be between the hours of four and six in the afternoon when, first of all, we all know traffic in and out of Boston is at its heaviest. Regardless of what Mr. Fairbank says, it would be most unfortunate if that bridge were raised three or four times or a dozen times within those hours and add to an already jammed traffic situation. What is wrong in delaying into this for the purpose of getting more information? Personally, I perhaps would use the service often and I would like to see it running. I feel it is safe to say it would benefit me, and so perhaps I am prejudiced, if one was to look at it that way from that standpoint. It is much easier to jump in a ferry at Atlantic avenue instead of going through heavy traffic, through the tunnel, and more heavy traffic. Once you jump into the ferry you land practically at the wings of the plane. But if we are to consider it might create a more serious condition, the time to consider that is right now at the hearing on this petition. There was no evidence given us by the Commissioner of Public Works or navigation officials, by the Traffic Commissioner or the Police Commissioner or anybody else who could tell us about the condition that concerns us and is being written up in the newspapers day and night, the traffic situation. True, Mr. Fairbank says that if there will be this condition created because of the opening of and closing of the bridge, he would have a second landing to eliminate that, but the time actually to determine that, whether that is true, is now. I have indicated I am in favor of this petition, and if the matter had been voted on last Monday I would have voted for it,—perhaps regretfully so today, in view of the information that has come into the possession of the Council during the past week. Now, the service is not running yet, and a week's delay will not be too serious and nobody can be bluffed into believing that. The matter deserves, as a matter of fact demands, that when we vote for it, if we vote for it as something good for the city, we want to have that definitely determined ahead of time. There is no immediate necessity as I can see, regardless of the amendment of Coun-

cilior Linehan, which he is going to attach to the order and I think, as a matter of fact he wants to be fair, but that does not prove to us that the drawbridge never will have to be raised. We don't know what tides we might get, regardless of what Mr. Fairbank says, and I am inclined to believe that particular part of his agreement much as he wants to be honest about it that we won't have to open up the drawbridge, and he says if it is opened, it won't be at the time of day that might create some hazard throughout the city. What difference does a week's delay make?

Coun. LINEHAN—Mr. President.

President KELLY—Councillor Linehan. For what purpose does the gentleman rise?

Coun. LINEHAN—A point of information.

President KELLY—Will the gentleman yield for a point of information?

Coun. CAREY—I will be glad to.

Coun. LINEHAN—In my amendment, councillor, I say the licensee will not, under penalty of revocation of this license, require any drawbridge to be opened in the operation of the ferry service.

President KELLY—Councillor Carey.

Coun. CAREY—That is a fine gesture on the part of Councillor Linehan, but it is sort of a case of standing up to a man and saying, "You son of a gun, I am going to give you the license, but I don't know whether you can survive or not." Why give the man the license in the first place if there is going to be danger of any penalty ensuing later on? For the love of Pete, we are all over seven years of age. I want to vote for this thing, but why give it to him and let him go out and think everything is hunky-dory and next week have us say, "I am sorry, we didn't mean that, you can't live up to this or to that. We are going to revoke it." This should be delayed until next week, and when he gets the license, let him go and make his plans, whatever plans he wants to make, with no conditions attached which will be necessary, as I see it, at the present time. I want to be honest with Mr. Fairbank and with myself and with the people of Boston. As Councillor Sullivan has brought out, there is going to be a lessening of the revenue because of the lessening of traffic through the tunnel. However, that can be offset in some other way. As we have this thing so far, and particularly with the revelations of the past week, I think we certainly are entitled—regardless of what the Boston *Traveler* or any other paper has to say by way of admonition—we certainly are entitled to more time. We can then send the man away feeling there are no conditions attached to the license. I feel it should be sent back to the committee in order to satisfy ourselves in regard to the information received which is so pertinent.

Coun. LINEHAN—Mr. President.

President KELLY—Councillor Linehan. For what purpose does the gentleman rise?

Coun. LINEHAN—A point of information, Mr. President.

President KELLY—Will Councillor Linehan state his point of information?

Coun. LINEHAN—Is there anything to stop the petitioner for the license from asking for this license next Monday if he loses this Monday?

President KELLY—No, he can apply any time he wants.

Coun. LINEHAN—I therefore hope the matter comes to a vote today, but if it is lost he can come in next Monday.

President KELLY—The question is on referring the matter back to the committee. Councillor Moriarty.

Coun. MORIARTY—Mr. President, I believe the fact that Councillor Linehan wants this to come to a definite vote one way or the other precludes us from the information Councillor Carey has asked for. We should get expert and authoritative information from the Public Works Commissioner who since yesterday morning has published the fact that he is against this thing. Therefore, I believe it should come before the Committee on Licenses in order that we may have available all of this so-called expert information.

President KELLY—The question is on referring this back to the Committee on Licenses. Councillor Muchnick.

Coun. MUCHNICK—Mr. President, I will try not to be too long because we have been at this much longer than necessary already. But there is one thing I would like to have made clear. Councillor Carey suggested we were all over seven. That age limitation includes Mr. Fairbank, the president of the petitioning company, as well as it includes us. If Mr. Fairbank is willing to accept

a license which prohibits him from using any of the drawbridges under penalty of revocation of the license, he is old enough to realize that, he is over seven, and he knows what he is asking for, and he knows what he is getting. Nobody is stood up against a wall and told, "Here, you son of a gun, take this." We are giving him what he wants, and if he uses those drawbridges we have the penalty clause in there, and then he will suffer the revocation of the license. In view of his willingness to take the license with these conditions, it seems to me rather foolish to call the Public Works Commissioner in and the bridge engineers and all the harbor authorities to see whether or not he can operate without using the drawbridge. He guarantees he won't use it anyway, and all the rest of the discussion becomes purely academic.

President KELLY—The question is on referring this matter back to the Committee on Licenses. All those in favor, say aye, those opposed, no. It is not a vote.

Coun. BAYLEY—I move the passage of the order.

President KELLY—Councilor Coffey doubts the vote. The clerk will call the roll.

The roll was called on referring the matter to the Committee on Licenses, and the motion was carried:

Yeas—Councilors Carey, Coffey, Fish, Hurley, Kelly, Kinsella, McCormack, Moriarty, Russo, Scannell, Sullivan—11.

Nays—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Keenan, Linehan, Muchnick—8.

President KELLY—Eleven in the affirmative and eight in the negative, and the petition is referred back to the Committee on Licenses.

RECESS.

On motion of Councilor Scannell the Council voted to take a recess at 5.45 p. m., subject to the call of the Chair. The members reassembled and were called to order by President Kelly at 6.05 p. m.

EXECUTIVE REPORTS.

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

1. Report on petition of Agnes L. Welch (referred December 26, 1946) to be paid annuity on account of death of her husband, Matthew J. Welch, late member of the Fire Department—recommending passage of accompanying order, viz.:

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws, an annuity of one thousand dollars be allowed and paid to Agnes L. Welch, widow of Matthew J. Welch, a member of the Fire Department who died on January 29, 1946, 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 January 29, 1946, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

The report was accepted and the order was passed.

2. Report on resolution (referred today) relative to vacations and sick leave for members of Boston Police Department recommending adoption of the accompanying new draft, viz.:

Resolved, That the Boston City Council in meeting assembled hereby favors the enactment of legislation granting to members of the Police Department of the City of Boston vacations up to four weeks and fifteen days' sick leave each year up to a total of ninety days provided such legislation includes a referendum to the Mayor and City Council.

The report was accepted, and the order was passed.

3. Report on message of Mayor and order (referred today) accepting chapter 179 of Acts of 1946—that same ought to pass.

The report was accepted, and the order was passed.

4. Report on message of Mayor and order (referred Dec. 16, 1946) for payment of \$3,200 in settlement of claim of Connors Brothers Company—that same ought not to pass.

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

Coun. BAYLEY—What is this on, Mr. President?

President KELLY—The payment of the claim to Connors Brothers.

Coun. BAYLEY—And the recommendation is what?

President KELLY—The recommendation is "Ought not to pass." The question is on the passage of the order. The committee's report is accepted, and now the question is on the passage of the order. All those in favor say aye, those opposed no. It is not a vote.

Coun. HURLEY—I doubt the vote and ask for a roll call.

President KELLY—Councilor Hurley doubts the vote and asks for a roll call. The clerk will please call the roll.

The roll was called, and the order was passed, yeas 9, nays 8:

Yeas—Councilors Coffey, Fish, Hurley, Kelly, Kinsella, McCormack, Muchnick, Russo, Sullivan—9.

Nays—Councilors Bayley, Bryan, Carey, Chase, Cook, Keenan, Linehan, Moriarty—8.

President KELLY—Councilor Bayley.

Coun. BAYLEY—Mr. President, I ask for reconsideration.

President KELLY—Councilor Bayley asks for reconsideration.

Coun. BAYLEY—Mr. President, the Executive Committee after a hearing recommended the order ought not to pass. We have had this before several times. We had it last year, and again now. It seems to me we should not throw out the report of the committee and act on it hastily when the full Council is not here. If reconsideration prevails, I will ask that it be sent back to the Executive Committee or an appropriate committee for further and complete investigation.

President KELLY—Councilor Bayley asks for reconsideration. All those in favor say aye, those opposed, no. It is not a vote.

Coun. BAYLEY—I doubt the vote and ask for a roll call.

President KELLY—Councilor Bayley doubts the vote and asks for a roll call, and other councilors have joined him.

The roll was called, and the motion to reconsider was lost, yeas 8, nays 10:

Yeas—Councilors Bayley, Bryan, Carey, Chase, Cook, Keenan, Linehan, Moriarty—8.

Nays—Councilors Coffey, Fish, Hurley, Kelly, Kinsella, McCormack, Muchnick, Russo, Scannell, Sullivan—10.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. BRYAN, for the Committee on County Accounts, submitted the following:

Report on petition of Clifford E. Smith (referred Jan. 13) for veterans retirement—recommending passage of following order, viz.:

Whereas, Clifford E. Smith, employed in the service of the County of Suffolk, as chief probation officer in the Municipal Court of the West Roxbury district of the City of Boston, has made application to be retired under the provisions of chapter 678 of the Acts of 1945, and

Whereas, The said Clifford E. Smith has submitted to the City Council satisfactory evidence that he is a veteran as defined in section 56 of chapter 32 of the General Laws; that he has been certified for retirement for disability by the duly authorized medical panel; that he has been in the service of the county at least thirty years, be it therefore

Ordered, That under the provisions of section 58 of chapter 32 of the General Laws, as amended by chapter 514 of the Acts of 1943, Clifford E. Smith, employed in the County of Suffolk as chief probation officer in the Municipal Court of the West Roxbury district of the City of Boston, be, and hereby is, retired by the Mayor and City Council, acting as county commissioners, at an annual pension of two thousand dollars, being one-half of his highest regular rate of compensation.

The report was accepted, and the order was passed.

DIRECTOR OF SCHOOL NURSING.

Com. HURLEY offered the following:

Ordered, That his Honor the Mayor be requested to confer with the Board of Trustees of the City Hospital and ask them to give reasons why Cecelia Knox, Director of the School of Nursing, should not be removed from her position.

Passed under suspension of the rule.

TIME FOR PEDESTRIAN CROSSING, D STREET AND OLD COLONY AVENUE.

Com. LINEHAN offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to regulate the existing traffic lights at D street and Old Colony avenue, Ward 7, so as to provide a 12-second interval for pedestrians to cross this dangerous intersection.

Passed under suspension of the rule.

ANNUITY TO WIDOW OF
JAMES B. McCARTHY.

Com. COFFEY offered the following:

Resolution for payment of annuity to wife and children of James B. McCarthy, late member of Fire Department, who died from injuries sustained in performance of his duty.

Passed under suspension of the rule.

TRAFFIC LIGHTS AT KNEELAND STREET
AND HARRISON AVENUE.

Com. RUSSO offered the following:

Ordered, That the Traffic Commissioner be instructed, through his Honor the Mayor, to

install traffic signal lights at the intersection of Kneeland street and Harrison avenue, Ward 3.

Passed under suspension of the rule.

TAXICABS USING SUMNER TUNNEL ON
WAY TO AIRPORT.

Com. SULLIVAN offered the following:

Ordered, That the Boston Traffic Commission be requested, through his Honor the Mayor, to make a survey of the number of taxicabs using the Sumner traffic tunnel going to and from the East Boston airport.

Passed under suspension of the rule.

TRANSFER PRIVILEGE ON PAYMENT
OF TEN-CENT FARE.

Com. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to confer with officials of the Boston Elevated Railway regarding the refusal of the "E" to permit a general use of the transfer privilege upon payment of the ten-cent fare.

Com. CAREY—Mr. President, I want to say just one word on that order. On the Huntington avenue bus line transfers are being refused to the patrons who want to transfer to the buses going through Dudley or Allston. I understand on the payment of ten cents you are entitled to a transfer, I trust by that order to get the situation remedied on that bus line.

The order was passed under suspension of the rule.

Adjourned, on motion of Councilor Hurley, at 6.15 p. m., to meet on Monday, February 3, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 3, 1947.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Fish, Kinsella, Madden.

The meeting was opened with the salute to the Flag.

VETO OF ANNUITY TO DEPENDENTS OF JAMES B. MCCARTHY.

The following was received:

City of Boston,
Office of the Mayor, January 28, 1947.
To the City Council.

Gentlemen,—I return herewith without my signature and disapproved the resolution of your Honorable Body favoring legislation for the payment of an annuity to the dependents of James B. McCarthy, a member of the Fire Department, whose death it is alleged was caused by injuries received in the performance of his duty.

Under either the Boston Retirement Act or section 89 of chapter 32 of the General Laws, the dependents of Mr. McCarthy are entitled to make an application for an annuity. If his death was attributable to his injuries and the Medical Board so certifies, the annuity will be granted in due course, and the resolution is unnecessary. If the Medical Board certifies that the death was not caused by the injuries, the resolution is disapproved on the grounds set forth in my communication of January 20, vetoing the Magner resolution.

Respectfully,

JAMES M. CURLEY, Mayor.

Placed on file.

VETO OF RESOLUTION RE PATRICK J. O'ROURKE.

The following was received:

City of Boston,
Office of the Mayor, January 28, 1947.
To the City Council.

Gentlemen,—I return herewith without my signature and disapproved the resolution adopted January 20, 1947, favoring legislation relative to Patrick J. O'Rourke, a member of the Police Department. Mr. O'Rourke was reinstated in the department in 1938, after an absence of eleven years, and the legislation in question proposes to entitle him to all the rights and privileges of membership in the department as if his service had not been interrupted.

Although the language is not specific, it is evident that it is intended in some vague way to affect his pension rights.

He was a contributing member of the Boston Retirement System when he was discharged in 1927, and his contributions were repaid to him. When he again entered the employment of the city in 1938, he became, under the terms of the statute, a new entrant into the Boston Retirement System and his present situation is similar to that of several hundred other city employees who have broken periods of service.

I see no valid reason to establish an exception in his case and am impelled, therefore, to veto the resolution.

Respectfully,

JAMES M. CURLEY, Mayor.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments, viz.: Daniel J. Daly, of 15 Norfolk street, Roxbury, Mass., to be Constable without power to serve civil process, and to serve without bond, for term ending April 30, 1947.

Robert Griffin, of 6 Harvard avenue, Dorchester, Mass., to be Weigher of Coal for term ending April 30, 1947.

Edward Brosemer, 841 Dorchester avenue, Dorchester, Mass., to be Weigher of Goods for term ending April 30, 1947.

Severally referred to the Committee on Constables and Confirmations.

BUDGET FOR 1947.

The following was received:

City of Boston,
Office of the Mayor, February 3, 1947.

To the City Council.

Gentlemen,—I submit herewith my budget recommendations for the fiscal year 1947 and, for the first time since 1933, in full segregated form. The allowances recommended total \$51,347,530.06, and including \$11,720,069 previously appropriated by the City Council, make a grand total of \$63,067,599.06, and are \$6,359,614.99 in excess of the total budget recommendations submitted in 1946.

The total of these increases is shown in the following table:

CITY MAINTENANCE	\$5,721,142 73
COUNTY MAINTENANCE	360,002 41
REVENUE DEPARTMENTS AND ACCOUNTS	278,469 85
TOTAL INCREASE	\$6,359,614 99

CITY MAINTENANCE.

The following tabulation indicates by budget groups the differences between the appropriations of last year and the allowances of the current year:

TWO-YEAR BUDGET COMPARISON.

	CITY MAINTENANCE.		Increase.
	1946	1947	
	Appropriations.	Allowances.	
A. Personal Service	\$23,761,967 80	\$29,210,686 77 (a)	\$5,448,718 97
B. Contractual Services	5,478,124 22	6,174,763 57	696,639 35
C. Equipment	705,125 25	1,063,114 35	357,989 10
D. Supplies	2,829,163 49	3,317,603 39	488,439 90
E. Materials	392,886 00	425,536 00	32,650 00
F. Special Items	11,572,080 17	11,987,541 99	415,461 82
G. Incidentals	18,630 00	17,195 00	1,435 00*
Emergency Compensation Allotment	1,300,000 00	—	1,300,000 00*
Snow Removal	500,000 00	500,000 00	—
Special Appropriations	3,143,275 00	2,725,953 59 (b)	417,321 41*
Totals	\$49,701,251 93	\$55,422,394 66	\$5,721,142 73

(a) Includes \$10,082,570 previously appropriated.

(b) Includes \$10,000 previously appropriated.

* Decrease.

PERSONAL SERVICE.

It is evident from an examination of the foregoing table that the major cause for this year's increase in the city's budget is the increased personal service requirements which are \$5,448,718.97 in excess of the appropriations for 1946. Effective January 1, 1947, the Emergency Compensation payments of 1946 were made a permanent part of the regular salary of employees, and an additional increase of \$200 per year was granted to employees, generally. This salary adjustment accounts for approximately \$4,000,000 of the increase. The provision for an additional 500 privates in the Fire Department, and 54 patrolmen in the Police Department, plus an additional allowance for the filling of vacancies in the Police Department to fill the established quota, accounts for \$1,150,000. The balance provides for an additional salary increase to the nurses at the Boston City Hospital and the Sanatorium Division, and new positions in the X-Ray and Collecting Divisions of the Boston City Hospital; step rates now in effect for employees; and provision in the Library Department to increase the hourly rate for extended services, to provide for step-rate increases in this department, and to conform with the union regulations in the bindery as to salary and hours of work.

CONTRACTUAL SERVICES.

This group covers services rendered the city by firms, individuals and corporations outside of the regular personnel of the city, and shows an increase of \$696,639.35 over similar appropriations for 1946. The major items included in this increase are as follows:

Contracts for the removal and disposal of waste show an increase of \$328,000 over similar contracts of last year, making necessary this additional allowance for the removal of ashes, dirt, and garbage. Plant repairs, which were postponed during the war years and on which some progress was made last year, require an additional allowance over last year of approximately \$90,000 in the Hospital Department, Fire Department, Police Department, Public Buildings Department, and Long Island Hospital. The increase in the rates for the board of children in foster homes, made necessary by the increased cost of living, requires an additional allowance for this purpose in the Child Welfare Department of \$25,000. The increase by the Commonwealth in the rate charged the City of Boston for patients confined in the state infirmaries makes necessary an additional allowance of \$12,000 over last year. The increased cost of printing by the City Printing Department makes it necessary to increase the allowance for police listing by \$17,800. For opening up new sections of Mount Hope, Fairview, and Evergreen Cemeteries, \$25,000 additional has been allowed. An allowance of \$45,000 has been provided for the microfilming of veterans' records in the new Department of Veterans Services. The Fire Department rented a garage and repair shop on Blue Hill avenue which requires an allowance of \$15,000 for annual rental. Due to the age of the present equipment in the Fire Department, the increased cost of repairs which cannot be made by the department forces, makes necessary an additional allowance of \$13,000. An increased allowance of approximately \$60,000 is necessary this year to provide for the Board of Real Estate Commissioners, the budget of which was charged last year to revenue.

EQUIPMENT.

There have been eliminated from this group allowances in excess of \$1,000,000 for motor vehicles and equipment. It is intended to borrow for such equipment a sufficient sum to compensate for these deductions, the major portion of which will be for fire apparatus. Although delivery on fire apparatus probably will not be made this year, it is legally necessary to have an appropriation available in order to make contracts for delivery. The Fire Commissioner is of the opinion that when this apparatus is received his department will be approximately 75 per cent equipped with modern fire-fighting apparatus. The major portion of the balance of this loan will be allocated to the Public Works, Police, and Park Departments.

The two-year budget comparison table, as previously shown, shows an increase over 1946 of \$357,989.10. This increase over 1946 is, in large measure, due to the availability of urgently needed equipment not previously available for various departments in the city, especially in the hospitals and institutions of the city.

SUPPLIES.

The increase of \$488,439.90 in this group is due to the increased cost of food, medical, surgical, and practically all other supplies purchased by the city.

MATERIALS.

The increase of \$32,650 in this group is due to the increased cost of paints, lumber, and other miscellaneous materials used in the various departments by departmental forces.

SPECIAL ITEMS.

The appropriations for pensions for employees, not members of the Contributory Retirement System, have been mounting annually, and this year an additional sum of approximately \$135,000 over 1946 will be necessary. The major portion of these pensions are provided in the Fire and Police Departments budgets. The Workmen's Compensation item has also increased, and this year will require an additional sum of \$10,000. An increase of \$100,000 in the relief item of the Veterans Services Department is necessary, due to an increase in the amount paid to veterans and their families, in conformity with state regulations, and for which item the city is reimbursed to the extent of 50 per cent. Welfare items, which are also in this group, have been increased \$300,000 over last year, and this increase is attributed to the increase in the average payments to recipients and the increased case load.

SPECIAL APPROPRIATIONS.

Although there is a reduction of \$417,321.41 in this group, as against 1946, nevertheless, allowances have been made as required by chapter 44 of the General Laws for the required payments out of taxes before any borrowing shall occur for the construction of buildings, construction of public ways, purchase of departmental equipment, and construction of sewerage works.

No appropriation for Emergency Compensation Allotment is necessary this year. The Snow Removal allowance is the same as last year.

COUNTY MAINTENANCE.

The following table indicates in comparative form the main points of difference between last year's appropriations and the allowances recommended for the current year for County Maintenance:

TWO-YEAR BUDGET COMPARISON.

COUNTY MAINTENANCE.

	1946		1947		Increase.
	Appropriations.	Allowances.	Appropriations.	Allowances.	
A. Personal Service.....	\$2,742,659 62	\$3,186 891 20(a)			\$444,231 58
B. Contractual Services.....	568,886 70	608,144 50			39,257 80
C. Equipment.....	54,875 51	82,128 95			27,253 44*
D. Supplies.....	313,049 60	335,904 80			22,855 20
E. Materials.....	26,980 00	29,705 00			2,725 00
F. Special Items.....	71,177 81	75,557 20			4,379 39
Emergency Compensation Allotment.....	215,000 00	—			215,000 00*
Special Appropriations.....	96,700 00	131,000 00			34,300 00
Totals.....	\$4,089,329 24	\$4,449,331 65			\$360,002 41

(a) Includes \$1,048,699 previously appropriated.

* Decrease.

PERSONAL SERVICE.

It is evident from an examination of the foregoing table that the major cause for this year's increase in the county budget is the increased personal service requirements which are \$444,231.58 in excess of the appropriations for 1946. Salary adjustments similar to those for city employees account for \$329,000; step-rate increases, \$15,500; and statutory increases, \$105,000.

CONTRACTUAL SERVICES.

The increase of \$39,257.80 in the allowances for Contractual Services is mainly for repairs to the various county buildings and the House of Correction; and also for increases in allowances for jurors' services, and for compensation for masters and auditors in the Superior Court.

EQUIPMENT.

The increase of \$27,253.44 in this group is due, in large measure, to the increased cost of clothing* bedding, etc., at the House of Correction, and the availability of urgently needed equipment not previously available for the various county departments.

SUPPLIES.

The increase of \$22,855.20 is largely due to the increased cost of food, medical, and other supplies in the correctional institutions of the county.

MATERIALS.

The increase of \$2,725 in this group is due to the increased cost of materials used by departmental forces.

SPECIAL APPROPRIATIONS.

The increase of \$34,300 in this group is due to the increased allowance for plumbing repairs at the House of Correction, and an allowance to remodel the Northern Mortuary building.

REVENUE DEPARTMENTS AND ACCOUNTS.
TWO-YEAR BUDGET COMPARISON.

	1946 Appropriations.	1947 Allowances.	Increase.
A. Personal Service.....	\$1,521,526 01	\$1,753,283 93 (a)	\$231,757 92
B. Contractual Services.....	740,159 05	561,045 93	179,113 12*
C. Equipment.....	116,206 25	120,040 00	3,833 75
D. Supplies.....	61,110 00	60,354 75	755 25*
E. Materials.....	245,340 50	240,655 50	4,685 00*
F. Special Items.....	26,661 09	39,034 64	12,373 55
Emergency Compensation Allotment.....	91,400 00	—	91,400 00*
Special Appropriations.....	115,000 00	421,458 00	306,458 00
Totals.....	\$2,917,402 90	\$3,195,872 75 (a)	\$278,469 85

(a) Includes \$578,800 previously appropriated.
* Decrease.

The appropriations under this heading are made from revenue for the several departments. However, in the Special Appropriations group there is an item for the State-Boston Retirement System Pension Fund. The amount appropriated will be refunded in whole or in part from other funds.

I respectfully recommend the adoption of the budget as submitted after early consideration by your Honorable Body.

Very truly yours,
JAMES M. CURLEY, Mayor.

COMPARISON OF 1947 DEPARTMENTAL ALLOWANCES WITH 1946 APPROPRIATIONS.
CITY MAINTENANCE.

DEPARTMENT.	1946 Appropriations.	1947 Allowances.	Increase.
Art Department.....	\$450 00	\$3,893 00	\$3,443 00
Assessing Department.....	\$400,723 99	445,896 16	45,172 17
Auditing Department.....	107,829 29	123,363 98	15,534 69
Boston Retirement System.....	39,245 36	31,232 74	8,012 62*
Boston Traffic Commission.....	190,280 18	230,613 86	40,333 68
Budget Department.....	20,192 97	21,167 20	974 23
Building Department.....	288,125 68	334,948 13	46,822 45
Board of Appeal.....	14,655 90	15,807 52	1,151 62
Board of Examiners.....	5,561 60	5,963 40	401 80
City Clerk Department.....	47,592 36	58,662 63	11,070 27
City Council.....	108,471 00	111,876 00	3,405 00
City Council Proceedings.....	11,750 00	12,000 00	250 00
City Documents.....	18,000 00	18,000 00	—
City Planning Board.....	28,347 50	28,355 31	7 81
Collecting Department.....	133,577 98	164,084 28	30,506 30
Election Department.....	370,327 65	361,397 22	8,930 43*
Finance Commission.....	50,000 00	50,000 00	—
Fire Department.....	5,315,761 19	6,934,603 96	1,618,842 77
Electrical Inspection Division.....	96,035 01	108,398 62	12,363 61
Health Department.....	1,007,725 23	1,119,182 22	111,456 99
Hospital Department.....	4,506,390 00	5,692,500 00	1,186,110 00
Sanatorium Division.....	883,595 00	1,122,566 72	238,971 72
Institutions Department			
Central Office.....	51,262 31	59,711 78	8,449 47
Child Welfare Division.....	492,636 09	530,261 56	37,625 47
Long Island Hospital.....	850,449 00	1,082,750 00	232,301 00
Steamer "Stephen J. O'Meara".....	60,115 00	63,478 88	3,363 88
Steamers "Michael J. Perkins" and "James M. Curley".....	—	68,460 00	68,460 00
Law Department.....	193,697 20	224,177 29	30,480 09
Library Department.....	1,383,301 00	1,811,318 98	428,017 98
Licensing Board.....	65,772 00	77,743 00	11,971 00
Mayor, Office Expenses.....	124,984 32	128,322 00	3,337 68
Bureau of Americanization.....	2,000 00	—	2,000 00*
Municipal Employment Bureau.....	35,836 00	33,602 00	2,234 00*

*Decrease.

COMPARISON OF 1947 DEPARTMENTAL ALLOWANCES WITH 1946 APPROPRIATIONS.
CITY MAINTENANCE.— Concluded.

DEPARTMENT.	1946 Appropriations.	1947 Allowances.	Increase.
Park Department.....	\$1,288,388 52	\$1,614,941 68	\$326,553 16
Cemetery Division.....	101,323 28	152,076 43	50,753 15
Police Department.....	7,100,739 00	8,098,089 58	997,350 58
Public Buildings Department.....	706,884 69	834,862 91	127,978 22
Market Division.....	19,535 50	21,469 45	1,933 95
Public Welfare Department:			
Central Office.....	10,533,178 47	10,842,587 08	309,408 61
Temporary Home.....	10,145 00	19,115 00	8,970 00
Wayfarers' Lodge.....	16,926 24	28,302 26	11,376 02
Public Works Department:			
Central Office.....	38,886 78	39,077 00	190 22
Bridge Service.....	518,453 62	591,969 00	73,515 38
Ferry Service.....	264,058 41	305,014 99	40,956 58
Lighting Service.....	977,895 11	1,002,453 72	24,558 61
Paving Service.....	1,054,147 56	1,227,687 81	173,540 25
Sanitary Service.....	3,720,818 28	4,429,657 08	708,838 80
Sewer Service.....	522,418 07	566,437 25	44,019 18
Registry Department.....	94,889 82	110,965 10	16,075 28
Sinking Funds Department.....	2,930 00	2,930 00	—
Department of Veterans Services.....	475,661 62	650,312 22	174,650 60
Statistics Department.....	19,672 60	21,708 00	2,035 40
Street Laying-Out Department.....	137,753 30	176,254 08	38,500 78
Supply Department.....	71,145 49	79,581 71	8,436 22
Treasury Department.....	118,645 88	139,807 76	21,161 88
Weights and Measures Department.....	58,788 88	68,287 98	9,499 10
Board of Real Estate Commissioners.....	—	98,514 54	98,514 54

SPECIAL APPROPRIATIONS.

	1946 Appropriations.	1947 Allowances.	Increase.
Beacon Street (Chapter 90).....	\$50,000 00	—	\$50,000 00*
Board of Recreation.....	15,000 00	—	15,000 00*
Boat Purchase, Alterations, etc.....	80,000 00	—	80,000 00*
Boston Veterans Reception Centre.....	1,800 00	—	1,800 00*
Central Payroll Bureau, Establishment of.....	35,000 00	\$46,239 13	11,239 13
Construction of Buildings, and Original Equipment and Furnishings thereof.....	149,000 00	154,100 00	5,100 00
Contingent Fund.....	300,000 00	325,000 00	25,000 00
Conventions and Entertainment of Distinguished Guests.....	44,750 00	44,650 00	100 00*
Eastern Avenue Wharf, Repairs, etc.....	—	35,000 00	35,000 00
Emergency Compensation Allotment.....	1,300,000 00*	—	1,300,000 00*
Ferry Improvement, etc.....	65,000 00	45,000 00	20,000 00*
Long Island Hospital, Special Improvements and Repairs.....	250,000 00	405,000 00	155,000 00
Park and Playground Improvements, etc.....	250,000 00	200,000 00	50,000 00*
Public Celebrations.....	90,725 00	90,000 00	725 00*
Public Ways, Construction of.....	149,000 00	154,100 00	5,100 00
Purchase of Departmental Equipment.....	149,000 00	154,100 00	5,100 00
Reconstruction of Streets.....	200,000 00	200,000 00	—
Reconstruction and Repairs of Parkways and Roadways.....	200,000 00	—	200,000 00*
Recording and Binding of Veterans Discharges, etc., Reserve Fund.....	15,000 00	10,000 00	5,000 00*
Sanatorium Division, Installations, Alterations and Repairs.....	150,000 00	100,000 00	50,000 00*
Sewerage Works.....	149,000 00	154,100 00	5,100 00
Sidewalks, Construction and Reconstruction of.....	50,000 00	50,000 00	—
Snow Removal.....	500,000 00	500,000 00	—
State-Boston Retirement System Expense Fund.....	—	28,664 46	28,664 46
Unsafe Buildings, Securing, Removing, etc.....	100,000 00	40,000 00	60,000 00*
Municipal Buildings, Oak and Tyler Streets, and J. J. Williams, Alterations and Repairs.....	—	20,000 00	20,000 00*
Bird Street Grade Crossing.....	25,000 00	—	25,000 00*
Fire Department Buildings, Alterations and Repairs.....	300,000 00	—	300,000 00*
Rehabilitation of Franklin Park Zoo.....	—	50,000 00	50,000 00
Municipal Building, Charlestown, Alterations and Repairs, etc.....	—	20,000 00	20,000 00
City Hall Annex, Emergency Repairs, Steel Frame Work and Masonry.....	—	75,000 00	75,000 00
Totals.....	\$49,701,251 93	\$55,424,394 66(a)	\$5,721,142 73

(a) Includes \$10,092,570 previously appropriated.
* Decrease.

COUNTY MAINTENANCE.

DEPARTMENT.	1946 Appropriations.	1947 Allowances.	Increase.
Suffolk County Court House, Custodian.....	\$372,623 15	\$430,587 90	\$57,964 75
County Buildings.....	102,127 38	133,004 39	30,877 01
Jail.....	241,992 01	271,343 87	29,351 86
Supreme Judicial Court.....	52,685 22	58,440 66	5,755 44
Superior Court, Civil Session, General Expenses.....	403,828 40	459,778 01	55,949 61
Superior Court, Civil Session, Clerks' Office.....	200,169 39	235,572 24	35,402 85

COUNTY MAINTENANCE.—Concluded.

DEPARTMENT.	1946	1947	Increase.
	Appropriations.	Allowances.	
Superior Criminal Court.....	\$488,289 28	\$550,734 07	\$62,444 79
Probate Court.....	34,940 00	43,030 12	8,090 12
Municipal Court, City of Boston.....	527,961 29	615,462 16	87,500 87
Municipal Court, Charlestown District.....	36,426 00	42,031 50	5,605 50
East Boston District Court.....	34,597 93	40,343 22	5,745 29
Municipal Court, South Boston District.....	35,809 98	45,868 03	10,058 05
Municipal Court, Dorchester District.....	49,687 28	60,810 13	11,122 85
Municipal Court, Roxbury District.....	128,421 82	146,838 70	18,416 88
Municipal Court, West Roxbury District.....	46,434 50	52,262 76	5,828 26
Municipal Court, Brighton District.....	30,430 35	35,991 35	5,561 00*
Boston Juvenile Court.....	34,608 08	41,617 52	7,009 44
District Court of Chelsea.....	40,254 55	45,534 93	5,280 38
Registry of Deeds.....	182,706 82	231,569 87	48,863 05
Index Commissioners.....	24,822 82	29,212 03	4,389 21
Insanity Cases.....	36,110 00	36,135 00	25 00
Medical Examiner Service, Northern Division.....	26,118 63	28,947 40	2,828 77
Medical Examiner Service, Southern Division.....	18,382 77	20,163 62	1,780 85
Associate Medical Examiner Service, Northern Division.....	2,062 50	2,062 50	—
Associate Medical Examiner Service, Southern Division.....	2,177 50	2,177 50	—
Miscellaneous Expenses:			
Auditing Department.....	25,572 54	27,370 18	1,797 64
Budget Department.....	15,693 45	17,672 72	1,979 27
Collecting Department.....	1,000 00	1,000 00	—
Sheriff.....	4,625 00	5,025 00	400 00
Treasury Department.....	5,625 00	6,025 00	400 00
Penal Institutions Department:			
Office Expenses.....	45,890 46	53,729 12	7,838 66
House of Correction.....	449,204 05	547,990 15	98,786 10
Steamer "Michael J. Perkins".....	73,851 09	—	73,851 09*

SPECIAL APPROPRIATIONS.	1946	1947	Increase.
	Appropriations.	Allowances.	
Social Law Library.....	\$1,000 00	\$1,000 00	—
Board of Apportionment.....	4,700 00	—	\$4,700 00*
Contingent Fund.....	29,000 00	10,000 00	19,000 00
House of Correction, Special Improvements and Repairs.....	50,000 00	100,000 00	50,000 00
Granite Avenue Bridge.....	2,500 00	—	2,500 00
House of Correction Industries.....	12,000 00	—	12,000 00*
Emergency Compensation Allotment.....	215,000 00	—	215,000 00*
Northern Mortuary Building, Alterations and Repairs.....	—	20,000 00	20,000 00
Totals.....	<u>\$4,089,329 24</u>	<u>\$4,449,331 65 (b)</u>	<u>\$360,002 41</u>

(b) Includes \$1,048,699 previously appropriated.
* Decrease.

REVENUE DEPARTMENTS AND ACCOUNTS.

	1946	1947	Increase.
	Appropriations.	Allowances.	
Printing Department.....	\$459,751 55	\$459,048 10	\$703 46
Departmental Postage and Stationery.....	115,000 00	115,000 00	—
City Record, Publication of.....	30,587 00	31,690 00	1,103 00
Public Works — Water Division.....	1,590,623 32	1,676,616 74	85,993 42
Summer Traffic Tunnel.....	379,378 19	438,451 37	59,073 18
Collecting — Water Division.....	141,262 84	167,808 54	26,545 70
Auditing — Water Division.....	800 00	800 00	—
Real Estate Commissioners.....	200,000 00	—	200,000 00*
SPECIAL APPROPRIATIONS.			
State-Boston Retirement System, Pension Fund..	—	306,458 00	306,458 00
Totals.....	<u>\$2,917,402 90</u>	<u>\$3,195,872 75 (d)</u>	<u>\$278,469 85</u>

(d) Includes \$578,800 previously appropriated.
* Decrease.

RECAPITULATION.

CITY MAINTENANCE.....	\$49,701,251 93	\$55,422,394 66 (a)	\$5,721,142 73
COUNTY MAINTENANCE.....	4,089,329 24	4,449,331 65 (b)	360,002 41
TOTALS.....	\$53,790,581 17	\$59,871,726 31 (c)	\$6,081,145 14
REVENUE DEPARTMENTS AND ACCOUNTS.....	2,917,402 90	3,395,872 75 (d)	278,469 85
GRAND TOTALS.....	<u>\$56,707,984 07</u>	<u>\$63,067,599 06 (e)</u>	<u>\$6,359,614 99</u>

(a) Includes \$10,092,570 previously appropriated.
(b) Includes \$1,048,699 previously appropriated.
(c) Total City and County \$11,141,269 previously appropriated.
(d) Includes \$578,800 previously appropriated.
(e) Grand total \$11,720,069 previously appropriated.
* Decrease.

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1947.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1947, 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 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; that the appropriation for Pension Fund of the State-Boston Retirement System be met by any credits authorized by law and any excess by taxes that the appropriation for the Sumner Traffic Tunnel be met by the income from tolls and any excess over income from taxes, in accordance with the provisions of section II, 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, 1946, 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, 1947; by taxes on the polls and estates in the City of Boston; and by the proceeds of any duly authorized loans.

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 1947, 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, 1947; that interest shall be charged on all taxes remaining unpaid after the first day of November, 1947, in accordance with the provisions of chapter 59, section 57, of the General Laws, as amended, 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 the Committee on Appropriations.

APPOINTMENT OF ADVISORY BOARD,
VETERANS SERVICES DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, January 31, 1947.
City Clerk,
Boston, Mass.

Dear Sir,—In accordance with the authority contained in chapter 599 of the Acts of 1946, I hereby appoint the following-named persons to be members of the Advisory Board in the Veterans Services Department, each for the term of three years, ending April 30, 1949:

Lieutenant Colonel Philip S. Corbett, U. S. A., Retired, 215 Wren street, West Roxbury, Mass.
Reverend John J. Dugan, 300 Newbury street, Boston, Mass.
Colonel John J. Riley, U. S. A., Retired, 270 Parker Hill avenue, Boston, Mass.
Commander Thomas E. Barry, World War II Allied Veterans, Inc., Department of Massachusetts, 11 Beacon street, Boston, Mass.
Justice John J. Creban, 40 Court street, Boston, Mass.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

APPOINTMENT OF MARTIN J. FINN.

The following was received:

City of Boston,
Office of the Mayor, January 29, 1947.
City Clerk,
City Hall, Boston, Mass.

Dear Sir,—I hereby appoint Martin J. Finn, of 105 Forest Hills street, as a member of the Board of Street Commissioners, for the term ending the first Monday in January, 1950.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

PETITIONS REFERRED.

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

Claims.

John J. Doberty, to be reimbursed as result of accident which occurred while in performance of duty.

William J. Jeffers, to be reimbursed for execution issued against him.

Margaret M. McCarthy, for compensation for collapse of water boiler at 513 Washington street, caused by water being shut off.

Arthur J. Roberto, for compensation for damage or injuries caused by an alleged defect in Sumner Tunnel.

John X. Sullivan, to be reimbursed as result of accident which occurred while in performance of duty.

C. Vengrow, for compensation for damage to car by city truck.

Executive.

Petition of Alice M. Ralph to be paid annuity on account of death of husband, John G. Ralph, late member of Police Department.

Petition of Mary K. Kenney to be paid annuity on account of death of husband, John J. Kenney, late member of Fire Department.

Committee on Licenses.

Petition of Mary L. Lydecker for driveway opening at 8-14 Shawmut street.

Petition of Alvaro Mezzetti to operate bowling alleys on the Lord's Day, basement, South Station, Atlantic avenue, Ward 3.

BORROWING CAPACITY OF CITY FOR
YEAR 1947.

The following was received:

City of Boston,
Board of Commissioners of Sinking Funds,
January 24, 1947.

John B. Kelly, President,
Boston City Council,
City Hall, Boston.

Dear Sir,—In accordance with the provisions of chapter 93, Acts of 1891, chapter 267, Special Acts of 1916, and chapter 225, Acts of 1931, it is estimated that the amount which the city will be able to borrow during the present municipal year within the debt limit established by law, is \$10,562,031 as per schedule annexed.

Respectfully,

WILLIAM B. CAROLAN,
ARTHUR J. KELLY,
JOHN O. STUBBS,
MERRILL GRISWOLD,
BENJAMIN SPINOZA,
PATRICK McDONALD,

Board of Commissioners of Sinking Funds.

CHARLES J. FOX,
City Auditor.
HENRY F. BRENNAN,
City Treasurer.

CITY OF BOSTON AND COUNTY OF SUFFOLK.

DEBT AND SINKING FUNDS.

DEBT—INCURRING POWER IN 1947.

Total debt-incurring power within the debt limit (2½ per cent of \$1,459,013,321, the average assessed valuation for three years, less abatements)..... \$36,475,333 03

Debt incurred:

Total funded debt, city and county..... \$127,724,100 00
 Funded debt outside the debt limit (debt exempted from the operation of the law limiting municipal indebtedness):
 City debt..... \$10,655,750 00
 Traffic Tunnel debt..... 19,600,000 00
 Traffic Tunnel retirement debt..... 16,045,000 00
 County debt..... 1,140,000 00
 Rapid Transit debt..... 50,513,350 00

\$97,954,100 00

Funded debt for Public Works Administration projects, issued under authority of Chapter 366, Acts of 1933, as amended by Chapter 21, Acts of 1934..... 3,257,000 00

101,211,100 00

Funded debt within the debt limit..... \$26,513,000 00

Offsets to funded debt:

Sinking Funds..... \$34,493,431 87

Less sinking funds for debt outside the debt limit:

City..... \$349,178 39
 Rapid Transit..... 13,873,744 13
 Traffic Tunnel..... 19,257,408 40
 Traffic Tunnel Retirement..... 504,402 98

33,984,733 90

Offsets to funded debt within the debt limit..... 508,697 97

Net indebtedness within the debt limit, December 31, 1946..... \$26,004,302 03

Loans authorized but not issued (within the debt limit)..... 4,550,000 00

Used debt-incurring power within the debt limit..... 30,554,302 03

Unused debt-incurring power within the debt limit, January 1, 1946..... \$5,921,031 00

Estimated increase during the year by:

Serial bonds redeemable during year..... 4,641,000 00

Estimated amount of indebtedness that may legally be incurred within the debt limit during the municipal year..... \$10,562,031 00

Placed on file.

REVISION OF ASSESSMENT DISTRICT,
 KNOWN AS WARD 12.

The following was received:

City of Boston,

Board of Assessors, January 15, 1947.

John B. Hynes, Esq.,
 City Clerk, Boston.

Dear Sir,—At a meeting of the Board of Assessors held on January 3, 1947, it was

Voted, In accordance with the provisions of General Laws, chapter 59, section 38, whereby "the assessors may in any year divide the city into convenient assessment districts," to revise the present existing assessment district of the City of Boston known as Ward 12, effective January 1, 1947, as indicated below:

District No. 28. The whole of Ward 12 (Roxbury East).

Reduce total district numbers from 50 to 49 and renumber the districts following new district No. 28, from No. 29 to No. 49.

Very truly yours,

PETER J. ALLEN, Chairman.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Department of Public Utilities of hearing to be held on petition of Boston Consolidated Gas Company for approval of contract for purchase of gas from Eastern Gas and Fuel Associates, to be held at State House, February 11, at 10.30 a. m.

JURORS DRAWN.

President KELLY—The Chair is in receipt of venires for jurors. The City Messenger will so notify his Honor the Mayor.

(The City Messenger reported that the Mayor was not available.)

Coun. RUSSO presided at the box in the absence of the Mayor.

Sixty-five traverse jurors, Superior Criminal Court, to appear March 3, 1947:

Carlo Altieri, Ward 1; Michael Castelluccio, Ward 1; Henry DiMaro, Ward 1; Alfred J. Matthews, Ward 1; Arthur L. Teal, Ward 2; William F. Stevens, Ward 2; Joseph S. Twohig, Ward 2; John A. Lydon, Ward 3; Alexander Shayeb, Ward 3; Alfred H. Bergman, Ward 4; Edward J. Dole, Ward 4; Michael Byrne, Ward 6; John Kennes, Ward 7; Patrick J. Buckley, Ward 8; Peter J. Campbell, Ward 8; Antino M. Fergano, Ward 8; Francis A. Whiteley, Ward 8; Emerson C. Wiggins, Ward 9; James F. Page, Ward 10; Paul O. Irvin, Ward 11; William P. Leach, Ward 11; Louis Solomon, Ward 12; John F. Black, Ward 14; Israel Firestone, Ward 14; Edward Goff, Ward 14; Harry Karass, Ward 14; Isidore R. Pollan, Ward 14; Nathan Rudomen, Ward 14; Hyman Spiegel, Ward 14; Albert L. Robinson, Ward 15; Leo T. DeYoung, Ward 16; Richard C. Donoghue, Ward 16; James A. Magner, Ward 16; John McCormack, Ward 16; Joseph H. Outram, Ward 16; James R. Armstrong, Ward 17; William J. Gallagher, Ward 17; John Judge, Ward 17; Bernard Krantzberg, Ward 17; Robert R. Lee, Ward 17; Robert W. Stackhouse, Ward 17; Ralph R. Armington, Ward 18; Eldridge L. Crouse, Ward 18; Charles S. Donovan, Ward 18; Herbert L. Goudey, Ward 18; Robert P. Martell, Ward 18; Salvatore Mattalino, Ward 18; George R. Rochelau, Ward 18; Charles W. Sullivan, Ward 18; John G. Lynch, Ward 19; William J. McManus, Ward 19; Alfredo Procopio, Ward 19; William D. Stillings, Ward 19; Walter J. Connors, Ward 20; Thomas F. Kenney, Ward 20; Frederick T. Strickland, Ward 20; Malcolm U. Arthur, Ward 21; James H. Brennan, Ward 21; Joseph Glickman, Ward 21; William Teeman, Ward 21; Frank Edry, Ward 22; Daniel L. Fahey, Ward 22; Meyer Price, Ward 22; Ralph F. Shepard, Ward 22; Charles L. Thompson, Ward 22.

One hundred sixty-three traverse jurors, Superior Civil Court, to appear March 3, 1947:

George Angrisano, Ward 1; Pasquale Caruso, Ward 1; John D'Ambrosio, Ward 1; Alfonso D'Amico, Ward 1; Joseph Farina, Ward 1;

James F. Lawton, Ward 1; Anthony Luciano, Ward 1; Earl A. Nichols, Ward 1; Alexander Paone, Ward 1; Joseph Silva, Ward 1; Charles Daly, Ward 2; Winslow H. Schraffenberger, Ward 2; William Webb, Ward 2; Francesco Colabelli, Ward 3; James C. Easton, Ward 3; David Finlay, Ward 3; Peter L. Kokinos, Ward 3; Maurice V. Lapouta, Ward 3; John Moretti, Ward 3; William Vassell, Ward 3; Harold A. Hill, Ward 4; John J. Morley, Ward 4; John E. Boyle, Ward 5; Raymond L. Fisher, Ward 5; Charles L. Hobbs, Ward 5; Charles W. Hunter, Ward 5; Harold W. Krogman, Ward 5; George E. Norton, Ward 5; John J. Perry, Ward 5; Samuel Shapiro, Ward 5; Michael A. Simmer, Ward 5; Henry D. Wright, Ward 5; Peter Connolly, Ward 6; John J. Daley, Ward 6; Salvatore DiMaggio, Ward 6; James J. Dunlap, Ward 6; John C. Gill, Ward 6; Fred L. Pollock, Ward 6; Edward J. Balfe, Ward 7; John M. Dahill, Ward 7; Harris F. Farwell, Ward 7; James T. Garvey, Ward 7; Martin J. Price, Ward 7; Thomas James Short, Ward 7; Lawrence E. Sorenson, Ward 7; Peter J. Wallace, Ward 7; Walter H. Arnold, Ward 8; Charles P. Clark, Ward 8; Daniel F. Cremin, Ward 8; Domenic Puccini, Ward 8; Eugene Calarese, Ward 9; Joseph K. Hyder, Ward 9; Michal Lyons, Ward 9; John A. McClain, Ward 9; James P. O'Keefe, Ward 9; Reginald A. Wilson, Ward 9; Frederick T. Mitchell, Ward 10; William A. O'Keefe, Ward 10; Peter Tertzagian, Ward 10; William Card, Ward 11; George W. Foshey, Ward 11; George R. Irwin, Ward 11; Charles B. McDonald, Ward 11; Edward J. Sugar, Ward 11.

Charles M. Bennett, Ward 12; James Davis, Ward 12; Malachi G. Duffy, Ward 12; John J. Flynn, Ward 12; Myer Kaplan, Ward 12; Irving Lappin, Ward 12; Urban A. Malone, Ward 12; Willis W. Perkins, Ward 12; Bernard T. Tracy, Ward 12; Samuel Waldman, Ward 12; William Leo Carey, Ward 13; Paul J. Fitz, Ward 13; Edward P. Gumeay, Ward 13; Harry Hannissian, Ward 13; Thomas J. Hurley, Ward 13; Edward J. Moore, Ward 13; Timothy J. Moriarty, Ward 13; William Oblanas, Ward 13; Charles J. O'Brien, Ward 13; Joseph Yamusas, Ward 13; Anthony Alfano, Ward 14; James J. Bean, Jr., Ward 14; William J. Carmody, Ward 14; Harry Cohen, Ward 14; Hyman Cohen, Ward 14; Abraham Ernest, Ward 14; Leo L. Greenwood, Ward 14; Sidney G. Harris, Ward 14; Moses Horwitz, Ward 14; Norman Jackson, Ward 14; John E. Jardine, Ward 14; Thomas O'Brien, Ward 14; Ralph D. Pillman, Ward 14; Philip Resnick, Ward 14; Samuel Rubin, Ward 14; Daniel Swartz, Ward 14; Saul Wald, Ward 14; Patrick J. Cavanagh, Ward 15; David B. LeBrun, Ward 15; Patrick Moran, Ward 15; John J. Murphy, Ward 15; Francis F. Pender, Ward 15; John A. Mahoney, Ward 16; John A. MacPhail, Ward 16; William W. Murrin, Ward 16; Joseph A. O'Neil, Ward 16; Carl R. Peterson, Ward 16; George F. Kilduff, Ward 17; James F. McEttrick, Ward 17; Alexander McNabb, Ward 17; John T. J. Ryan, Ward 17; Isadore Silverstein, Ward 17; Ambert E. Thresher, Ward 17; Salvatore Vasapole, Ward 17; Mairotz Casperson, Ward 18; Edward L. Cataldo, Ward 18; Arthur L. Coombs, Ward 18; David Crowley, Ward 18; George P. Murray, Ward 18; William J. Nichols, Ward 18; Charles R. O'Connor, Ward 18; Wilhelm Ringdahl, Ward 18; Joseph W. Semple, Ward 18; Joseph R. Toronto, Ward 18; George I. Towner, Ward 18; Joseph R. White, Ward 18; Richard H. Barnett, Ward 19; Michael Duffy, Ward 19; Thomas J. Finley, Ward 19; Philip G. Goff, Ward 19; John F. O'Brien, Ward 19; Harry S. Bagley, Ward 20; Edward Boeck, Ward 20; Thomas Burns, Ward 20; Joseph F. Cronin, Ward 20; William J. Driscoll, Ward 20; Arthur J. Jolly, Ward 20; Patrick Waters, Ward 20; Benjamin Abrams, Ward 21; William Baker, Ward 21; James W. Davidson, Ward 21; Robert S. Egan, Sr., Ward 21; John D. Hopkins, Ward 21; Jacob Kramer, Ward 21; George Kushner, Ward 21; Louis M. Long, Ward 21; George Marks, Ward 21; Watson L. J. Millman, Ward 21; Arthur A. Nadeau, Ward 21; Raymond W. Rand, Ward 21; Harold Rubin, Ward 21; Patrick Tully, Ward 21; John J. Cavanaugh, Jr., Ward 22; Joseph A. Clair, Ward 22; Crendon Gray, Ward 22; Nelson H. Manning, Ward 22; Henry P. McGovern, Ward 22; George A. Muldoon, Ward 22; Carl E. Slater, Ward 22.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Report on petition of Coventry Realty Trust (referred December 16, 1946) for permit for driveway opening—recommending that permit be granted.

Report accepted; said permit granted.

Report on petitions to operate bowling alleys on the Lord's Day:

Mattapan Square Bowling Alleys, Joseph V. Celli, at 500 River street, Mattapan (referred January 27); West Roxbury Liederkrantz, Lee M. Jekowski, 46 Rockland street, West Roxbury (referred January 20)—recommending that permits be granted under usual conditions.

Reports accepted; said permits granted under usual conditions.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Harold E. Hines (referred January 27), to be weigher of goods—recommending that the appointment be confirmed.

Report on appointment of Roger W. Curtis (referred January 27), to be weigher of wool—recommending that appointment be confirmed.

The reports were accepted, and the question came on confirmation. Committee, Councilors Coffey and Lane. Whole number of ballots 12, yes 12, and the appointments were confirmed.

RECREATIONAL FACILITIES IN EAST BOSTON.

Coun. COFFEY offered the following:

Ordered, that the Public Works Commissioner be directed, through his Honor the Mayor, to proceed immediately with the agreed-upon plans for the construction of schoolboys' stadium and other recreational facilities in East Boston.

Coun. COFFEY—Mr. President, last Wednesday we had a meeting down in the Mayor's office. The meeting was called by the Mayor. At that meeting were representative groups from the East Boston district. The letter we received from the Mayor invited us to attend the meeting. The Mayor said there were some plans other than the ones agreed upon some six or seven months ago by the Department of Public Works regarding the recreational facilities in East Boston which were to replace the taking over of the Wood Island Park by the state for the expansion of the airport. At the meeting we had engineers from the airport present along with Commissioner Cairns. It was stated they were willing to give an inland swimming pool, a wading pool for small children, but, although they had plans made, they had decided they would have to take away the stadium, with a seating capacity of 15,000, from the school boys of Boston. Everybody in Boston knows every high school team would use that stadium, as it is the only enclosed stadium within the confines of the City of Boston. I objected strenuously to the taking away of the stadium in East Boston. I might go back and say that since I was a little boy in East Boston we have always used that beautiful Wood Island Park we had, which consisted of four natural ball parks, two beautiful football fields and baseball diamonds, an outdoor gymnasium, a quarter-mile track, eight tennis courts, and also the beautiful hills there for the mothers to go up and sit under the shade trees while the children were down wading at the two bathing beaches, or playing at one of the ball parks or in the gymnasium. Now that we have lost all that, and the state anticipates taking it for the expansion of the airport, we thought for a certainty we were going to get something substantial to replace our beautiful Wood Island Park. It was definitely decided at last Wednesday's meeting they were going to take away that stadium from us. What astounded me more than anything else is the fact that ever since Jim Curley has become a candidate for public office he has never once failed to carry East Boston. I do not care who the candidate might be, Jim Curley always came out of East Boston with a good plurality. Even when he

opposed Fred Mansfield, a native of our town, Jim Curley in that election carried East Boston. The people of East Boston have been more than generous to Jim Curley. I might add for the record Jim Curley only comes to East Boston when there is a parade or a banquet. Other than that, I doubt very much if he knows one street from another in East Boston with the exception of probably the main highways in the town. Now, there was a suggestion, and they took a vote downstairs, to spend a few hundred thousand dollars on the, reconditioning, I might say, of Wood Island Park, to take away the stadium and give us a wading pool and inland swimming pool in the Jeffries Point section of our town. I objected to the taking away of the stadium. Mr. Curley in a sarcastic manner, which he thinks is a sense of humor, said that the vote was unanimous until I called it to his attention. I told him to his teeth it was not unanimous. The press that are here now were present then when I told him. I told him that any time I voted against anything I wanted that vote recorded as such, and that nothing is unanimously passed when I am present at a committee hearing where a vote is taken and I object. I told him in more languages than one. I might say, speaking here on the floor now, Mr. Curley is quitting. The man that always hollers that he has done this and that for the people of Boston is quitting, I say, on the children of Boston. The only reason they want to take that stadium away from us in East Boston is this—they want that space for hangars for the airport. That is the only reason they want it. The excuse that they gave at the time was it would spoil the approach to the airport. That is a definite falsehood. There are three different entrances as it is now to the airport, and they do not need a fourth. They want that space for hangars. When I asked the gentlemen from the Public Works Department if they intended to put more hangars in this location where we are supposed to get these recreational facilities, they admitted that was the case. Still, in view of the fact that Mr. Curley said, "We will do away with the stadium," we will not do away with the stadium. This is one time the Mayor's bluff is going to be called. He has always fought the bankers and brokers on the air. He has always fought them in any public speeches he made. He is not going to quit now and give them the airport location where we want the stadium. We will not stand for it. This is one time Mr. Curley is going to be fooled. It makes no difference whether he is Mayor for the next three years or not. That does not enter the picture at all. It is a fact we in East Boston for once are going to get up in arms. I told him I would lead a delegation to City Hall. If I have to, I will. We want that stadium. Mr. Curley even went so far as to say the state can step in and take what they want. I disagreed with him. I said, "They cannot take what they want unless you give your approval." For example, if they want to build a hangar any place in East Boston on state property they first have to get a permit from the Street Department. That permit has to be signed by the Mayor of Boston. He signed one some three months ago, and they are starting to erect the hangars within ten feet of the people who live on Prescott street. There is filth there. The cellars are overflooded. Trucks are on the road day in and out. Ceilings and walls have caved in. Chimneys are falling down from the shaking of the Diesel engines carrying 25 tons of muck and mud. That is what we have been up against in East Boston. We have to put up with it. We thought we had somebody who would stay with us in the person of Jim Curley. He let us down badly last Wednesday when he agreed to go along with the bankers and brokers. Every airline is indebted to the bankers. Most of them are going broke. Two of them have loans, one for \$20,000,000 and one for \$50,000,000, to keep facilities operating. They have been losing money. Instead of Mr. Curley staying on the side of the people of East Boston who always were good to him, we find him making a statement that "We will do away with the stadium." Let me warn you, Mr. Curley, we will not do away with the stadium. If it is the last thing I do, I will fight you tooth and nail as long as I have breath in my body to get that stadium. Many of the gentlemen on the Public Works Department and the airport officials agreed to the plans. They themselves drew up those plans, and they were submitted to us months ago and agreed upon. The plans were in the Mayor's

office last Wednesday in front of him. The group there represented the people of East Boston. Those plans definitely call for a stadium, along with an inland swimming pool, a wading pool, and an outside ball field, so that the stadium would not be spoiled by others who want to use the ball field and who could use a ball field and would not have to use the stadium. We desire that stadium, Mr. Mayor. We are going to fight for it until we get it. The stadium cannot be built in any other section of Boston. That money has been allocated by the Legislature last year, \$1,300,000 for the expansion of the recreational facilities in place of World War Memorial Park, which is Wood Island Park, which is definitely going to be taken over by the state. My order reads that the plans originally submitted six months ago, which were on the Mayor's desk last Wednesday before this group, be carried out and that the people of East Boston be given fair play and that we get the stadium promised to us by the Department of Public Works and approved by every agency that presented the plans to us. I ask for suspension of the rules and passage of the order.

The order was passed under suspension of the rule.

Ordered, That his Honor the Mayor consider the advisability of refusing to sign any more permits for hangars for aeroplanes in East Boston until the recreational facilities agreed upon for the residents of East Boston are constructed.

Coun. COFFEY—Mr. President, this runs into my other order. Briefly, if the Mayor of Boston is honest and sincerely intends to get the people of East Boston recreational facilities which we are entitled to, there is one way he can do it. He can force the State Department of Public Works and the airport officials and the bankers to give us the recreational facilities they agreed upon six months ago by refusing to sign any more permits for hangars in East Boston. If he does that, we will have more than enough room to build a stadium. The boys in East Boston and all the other high school teams will use the field and the boys of East Boston and the other high school teams will have a real stadium.

The order was passed under suspension of the rule.

FORTY-EIGHT-HOUR WEEK FOR FIREMEN.

Coun. COFFEY offered the following:
Ordered, That the Fire Commissioner of the City of Boston be directed, through his Honor the Mayor, to live up to the mandate of the people who voted a forty-eight-hour week for firemen, both permanent and provisional.

Passed under suspension of the rule.

ACTION BY POLICE DEPARTMENT RE BOOKIES AND HORSEMEN.

Coun. COFFEY offered the following:
Ordered, That the Police Commissioner of the City of Boston be directed, through his Honor the Mayor, to submit a report to the City Council showing what steps he has taken to clean up Boston regarding bookies and horsemen as a consequence of an order introduced at the last meeting of the Council.

Coun. COFFEY—Mr. President, I introduced here an order asking the Mayor to confer with the Police Commissioner regarding bookies and horsemen and other activities that were taking place throughout the City of Boston. I listened attentively here since the time that you took the chair, Mr. President. Letters were sent from the Mayor's office on Monday, as is usually the case, and opened at our session. Nothing has come from the Mayor stating that he would confer with Police Commissioner Sullivan regarding bookies and others who are operating illegally horse rooms throughout the entire City of Boston, especially in the district in which I live and which I represent. I suppose Mr. Curley does not care too much what is going on in the City of Boston. It is evident the Police Commissioner does not care,

because he has made no statement to the press or otherwise that conditions are not as I presented them. The only statement that the press got was a statement from Captain Britt, who has called me a liar. The reason Captain Britt called me a liar was that I said the statement I made on the floor of the Council last week—that he told me the Police Commissioner told him to lay off the bookies—was not true. Naturally he would call me a liar. He does not want his boss to think he made that statement to me. That is only natural. He went along with the Police Commissioner in not saying that things were as I presented them last week, at last Monday's meeting. They did not say anything about conditions in Boston. They did not say they had remedied the conditions in Boston. Since Captain Britt went to my district, I reiterate my statement of last week that the first year Captain Britt was over there he did a pretty good job on the bookies. His arrests averaged four a week. Then my argument was in the past four or five months, since he himself made the statement the Police Commissioner told him to lay off, and the records will prove my statement is true, the arrests were only about one a month, and no better than that. I do not have to tell you gentlemen in the Council here what is going on in Boston. I think you know as well as I do. Sometimes we do not give a darn what is going on. There is a condition now similar to this going on in Winthrop. The cop on the beat will say, "I am not going to do my job. Why should I? I am not getting paid for it. Let the squad in charge of vice that are getting paid for it clean up conditions in Winthrop." That is the way conditions are today. They are going to be that way in Boston. I must have received a hundred letters, I dare say, and half of the letters were from Boston policemen telling me that conditions going on in the City of Boston were bad. They do not have to tell me, or you, or anybody else. We know what is going on. We do not have to leave our own neighborhood to know what is going on. Since I introduced the order last week I have heard nothing from the Mayor. That makes the Mayor a party to what is going on, in my opinion, within the confines of our city. After all, he can stop Tom Sullivan's pay tomorrow if he wants. He can stop it. There is nothing to stop him from stopping his pay. The Governor appoints him, but he has control over the pay roll. If he does not think Tom Sullivan is doing a fit job, I say he should stop his pay. He would stop the pay of any other city employee not doing a good job in his opinion. He could dismiss them from the department or demand their resignation for any reason, and they would find themselves out in the cold just like the average man who has put in so many years in the city service, discovers he has reached a certain age, and is told to get out. That law was passed in 1923. Why it was passed for the few and did not protect the many is beyond me. There are plenty of men forced out at seventy years of age who can still do a good day's work. After I gave the decision on the Moriarty case tomorrow, next Monday I will be back with another order. If Moriarty is dismissed tomorrow, then I will ask Tom Sullivan's dismissal a week from today. If he is not dismissed, I will ask Mayor Curley to return every man over seventy years of age who can stand a physical examination to the city pay roll. In my opinion, they have as much right to come back and work after seventy as any other man regardless of the position he may hold. Getting back to the police conditions, since I have been doing my yelling last week there have been cruising cars running up and down the streets of Boston. In my own town they put cops outside fifteen different places. That went on last Tuesday and last Wednesday and for about two hours last Thursday. Then the cops were called off. One of the councilors reminded me there is a piece in the paper this week. I did not see it. It said, "Why has Councilor Coffey kept quiet after his blast on the police last Monday?" I can only blast every Monday. I am not going to spend any more on advertising in the newspapers unless the newspapers refuse to give me publicity. So long as they give me write-ups like they did last Tuesday, I will keep blasting on Monday and watch for the Tuesday papers. If conditions stay the way they are (I do not want them to get worse), I will put the ads in the newspapers, and I will go on the radio like I did once before. I had a controversy that went on four weeks with Superintendent Sheehan. I got the last word in. I made Superintendent Sheehan quit when I

went on the radio and told him about conditions, where they were operating, and who and how, and who was protecting them. I never received an answer from Superintendent Sheehan to this day. Those conditions exist in my town. I want them stopped. If Captain Britt cannot do the job, then we should have someone who can. It looks as though he cannot. In the past four months he has done nothing over there. I want him removed. If necessary, let the Police Commissioner send his famous Superintendent Sheehan to our town. For 25 years he was the famous racket buster. For the past 25 years the bookies were operating all over the entire City of Boston. Sheehan knows that as well as I do. There is a cop in nearly every station that takes the horse plays to some bookie and gets the percentage. There is one in headquarters. They know that as well as I do. It is known everywhere. You might say, "Let them operate." All right. But not in my town. I do not want them operating in my town. The business firms over there are with me. You cannot walk by the square without seeing three or four bookies operating there. Now, in conclusion, I want to say this, at a hearing last week Mary Driscoll saw fit to interject herself into this controversy between the Police Commissioner, Captain Britt, and myself. At a hearing before her I heard she said Captain Britt was doing a good job. Well, wasn't there some preacher who was going to make a sermon? I did not see anything in the papers about it. I thought all the papers I saw to see if there was anything in them. Wasn't he going to say who killed Cook Robin and to tell us the conditions in the taverns and the rum joints of Boston? He was supposed to say what he thought of the whole matter. I would like to have seen what he had to say so that I could come in on it here today. Let me tell you a bit about Mary Driscoll. First of all, there is a fellow in my town who wanted a license. He went up before the License Board and applied for it. He got a fixer. The fixer told him for \$600 he could get a license. He paid the \$600 and he got the license. He and his brother were not talking at the time. The mother, who had to kick in the money for the license went to the brother, a policeman in Station 7. She told him the story. This policeman had a little courage and was going out on pension within a few weeks. He went to Mary Driscoll and accused the hoard of sticking his brother for \$600 for the license. He did a lot of yelling in uniform. He said, "I will get the \$600 somebody will be fired from this hoard." The \$600 was returned to him. Now, you gentlemen do not believe that, talk to the fellow. He said he would come over and tell you, any one of you. He is a retired policeman. He is now living in East Boston. The \$600 was returned to him, and not his brother. Just one other item. I was in a lunchroom in Maverick square. Someone was looking for a seven-day license. A couple of local office holders spoke in favor of the license. It was one time I was smart enough to stay away from the Licensing Board. Every time I have been up there I have been opposed. They did not ask me to go. The fellow that owns the place is a pretty good fellow. Mary Driscoll reprimanded the two officers. In her own words, and you can get them from the press—

Coun. COOK—Mr. President, a point of order. I do not think, even though the story is very interesting, I would like to hear the rest of it—

Coun. COFFEY—Mr. President, a point of order.

Coun. COOK—Is it within the content of the order? I would like to find out what the order is.

President KELLY—The Chair will rule that the matter that Councilor Coffey is talking on relates to the order before us.

Coun. COFFEY—Thank you, Mr. President. I do not see how it could help, for the simple reason I am talking on conditions in Boston. Mary Driscoll, who is a responsible office holder, has interjected herself into the argument. She stated Captain Britt is doing a good job. I am proving not only that he is not doing a good job, but she is not. She reprimanded two office holders for asking for a seven-day permit. She did not send an investigator but a hoard member, who brought a report back and said to the hoard that the place was loaded with bookies, both numbers and horse and dog bookies, and that he himself attended the place three different times and saw the bookies in operation, that they take a book play from the

table and pass out a green sheet for an Armstrong, get a play from anybody in the restaurant, and go to the telephone and put the play in. It was one of her own board members. I guess that takes care of Mary Driscoll. She had better clean her own skirts and take care of her own conditions, which are rotten. Kids can be seen drinking in these joints, boys and girls of sixteen and seventeen. If you looked it up, within the past two years you would find 50 cases brought before her board where children have been drinking on the premises, some place she has given a license to. I can go on. I think I have brought out two good points. Mary Driscoll should keep her skirts clean and forget about injecting herself into police business. She knows nothing whatsoever about it. To get back on the main speech, I am asking Commissioner Sullivan to make a report through the City Council or to the Mayor himself as to conditions in Boston. Joe Dineen had an article in the paper the past few days stating that false sweepstakes tickets are coming into Boston. That is true. Every year people get stuck with bad tickets. Whether they are good or bad does not make any difference. The police do not bother those who are selling them. I am going to ask that Superintendent Fallon be given the job of running the Police Department, and not the Police Commissioner. I have too many reports where an officer would be brought up on charges. The Police Commissioner would pick a hand-picked jury of his own, and afterwards those three captains would make a finding of not guilty in the officer's favor. He would call the officer in and tear up the report and say, "I am not paying attention to the report. I am the Police Commissioner. I am giving you 210 hours of punishment duty." I know one case where a policeman went over his head. The man was reprimanded and dismissed from the department, and he went to the Civil Service Commission. The Civil Service Commission saw fit to replace that man with back pay. I say this man is a czar. I have received hundreds of letters, and every one of those letters mention the same thing. This man is nothing but a czar. I do not think he will have too many friends in the Public Works Department nor in the Transit Department, which he left. Whether the report from him is to the Mayor or to the Council, I do not care which. I want Captain Britt taken out of East Boston. I do not care whom he puts over there. I would prefer his sending over Superintendent Sheehan. Let us see what Sheehan can do in the town. I will give him plenty of time to clean it up. He, too, like the police captain, may be told to lay off. Nearly everyone over there used the broom for the first few weeks or months. After that for some reason or other they all quit on the bookies. The bookies can do more with the police captains and deputies and superintendents and commissioners than any public office holder. If you do not believe me, find out who got all the medallions. Answer that question if you can. I doubt if there is a member of the Boston City Council that had influence enough to get a disabled veteran a medallion. I know I could not. I do not think you had more success than I. The bookies got medallions and used veterans' names. The veteran had to get a medallion to get a job. Most of them could not do a hard day's work. Driving a cab seemed like a good job with steady income. I hope the order is passed under suspension of the rule.

Coun. COOK—Mr. President, I think it is an order similar to the one passed last week. Am I right in understanding it was vetoed by the Mayor, before I go on?

President KELLY—It was not vetoed by the Mayor.

Coun. COOK—If they see fit to give us the information, I will be delighted to have it. I would like to rise and say, even though the President ruled he was in order in talking about matters I think are out of order, I would like to place myself on record in saying Mary Driscoll is doing and has done a wonderful job. I do no business at the Licensing Board.

Coun. BAYLEY—Mr. President, I agree with the distinguished councillor who has just spoken (Councillor Cook). I believe Mary Driscoll is one of the most famous licensing board chairmen we have ever had. I believe her skirts are clean. I believe we are very fortunate in having her. Her board is doing an excellent job. From the decisions I have heard her board make, I say thank goodness we have Miss Mary Driscoll as chairman of the board. I do not have such a high impression

of the A. B. C. Board as I do of the local board which goes at the problems fairly and gives both sides earnest consideration. I want to be put 100 per cent behind Miss Mary Driscoll for her character, loyalty, and attention to duty.

Coun. COFFEY—Mr. President, once more on Mary Driscoll and her clean skirts.

Coun. COOK—Mr. President, a point of order. I would like to insist on a point of order. As I understand it, the order calls for an investigation of horsemen and bookies. I do not think Mary Driscoll has anything to do with it. Anything said about her will not add to or detract from the argument. I would like the President to consider that and rule on the point of order.

President KELLY—The Chair is going to rule, where Miss Driscoll's name came into the order, the Chair will allow it to be discussed for a short time.

Coun. COFFEY—Mr. President, one other thing I did not touch on before. I thought I said enough about it. Seeing two gallant and glorious attorneys have come to the defense of Mary Driscoll even though neither one of them do business before Mary's board, they saw fit to come to her defense. A man owns a tavern in Central square in East Boston. The place has been run as a honkytonk joint for a number of years. The people in the district are disgusted with the way the place is operating. Those people live in the neighborhood. Men are rolled there. Men receive good beatings there. One man received a fractured skull. The owner was arrested for it eventually. The owner saw fit to ask a seven-day license. I opposed it. I asked Mary Driscoll if she knew the real owner. She said, "Only the man's name appearing on the license." I said, "That gentleman does not own it—he hasn't five cents to his name." I pointed out this gentleman standing there. I said, "This gentleman owns it!" She said she knew he was always in there. I said that he operated and ran the place, and the men agreed he did. He was looking out for his interest in the place. I said to Mary Driscoll, "He is an alien. He was implicated in a \$50,000 razor blade robbery off one of the ships in the National Docks. He was found guilty. He was found guilty of selling narcotics and drugs." I said, "He is the owner. He admits he is the owner." She said, "He admits he is operating the place." With all that evidence brought out, the man did not deny it, I had his record with me at the time, Mary Driscoll saw fit to give them a seven-day license. I say again there are a lot of things going on in Boston that Mary Driscoll closes her eyes to. Recently she tried to put the blame back on the church and the parents of the children. Where those children do go into these places, how do mothers and fathers know where their children go when they do go out? If a child says he is going to the movies, the mother and father are tickled to death. What the child does after the child gets out, those parents do not know. Mary Driscoll wants to blame the parents for it. I know, as a father of five children. I had a little fellow I thought was in a store taking a drink. Instead he decided to go swimming. One of the neighbors came up saying he had been run over by a truck. Did we know it? We gave him the price to go to the store. Within five minutes he was run over. It is the same with those children, your children and my children. It is up to Mary Driscoll to send out and have special investigators go into all these rum joints she knows are operating throughout the entire city. We have one or two in every spot that will sell to anybody as long as there is a dollar which comes across the bar. They will never ask a question as to the child's age. She knows it, and you and I know it. She should mind her own business and tend to her own affairs. If she does not, she will hear from me every Monday the same as Captain Britt and Police Commissioner Sullivan.

The order was passed under suspension of the rule.

ELECTION OF CITY CLERK.

Coun. KEENAN offered the following:
Ordered, That the City Council now proceed to the election of the City Clerk to serve for the term of three years beginning with the first Monday in February, 1947, and until his successor is elected and qualified.

The order was passed, and the Council proceeded to ballot for the election of the City Clerk, and the clerk called the roll, viz.:

For John B. Hynes—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Hamon, Hurley, Keenan, Kelly, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—18.

Nays—0.

John B. Hynes was declared elected City Clerk. President KELLY—I would like to hear a word from the clerk.

Clerk HYNES—Gentlemen of the City Council, I wish to thank you very much for the action that just occurred. There is only one way I can show you how much I appreciate your confidence in me, and that is by doing a good job as City Clerk, and I will try to do it in the next three years. Thank you very much. (Applause.)

CLEANING OF WARD 17 STREETS.

Coun. KEENAN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to clean up the sand and other dirt on the streets of Ward 17.

Passed under suspension of the rule.

OPPOSITION TO HOUSE BILL NO. 768.

Coun. KEENAN and CHASE offered the following:

Resolved, That the City Council of Boston, in meeting assembled, is hereby opposed to the enactment of House Bill No. 768 authorizing the city to sell Dorchester Park in Wards 16 and 17.

Coun. KEENAN—Mr. President, calling your attention to the need for parks, there is a bill in the Legislature to sell the land in Dorchester Park and the adjoining land in Ward 16. The people in Dorchester have had Dorchester Park for a great many years. I am quite surprised at his Honor the Mayor trying to put another land deal through by selling Dorchester Park. I hope his Honor the Mayor will see that this bill is killed and that the land on Dorchester Park will stay for the children of the district.

Coun. CHASE—Mr. President, talking on the order, I am very much opposed to his Honor the Mayor selling the public park in Dorchester in Councilor Keenan's district. I understand there are about 31 acres of public land he proposes to sell. Ever since 1891 it was used by the public for park purposes. Now, Mr. President, we have had an awful lot of talk throughout our entire city pertaining to land deals and land grabs by his Honor the Mayor. In my opinion, this is another land deal that his Honor the Mayor wishes to put across against the interest of the taxpayers. I believe, Mr. President, that his Honor the Mayor has shown on a number of occasions that he cannot be trusted to sell land—the public lands of the taxpayers. I think, Mr. President, that only recently the bad news that our city has been receiving about the land deals that his Honor the Mayor has made should only prompt us to be against him on all future land measures. The time has come, Mr. President, when we are going to do something about it or else the Attorney General's office will step in and do something about it and then it will not be too pleasant. Now, Mr. President, why does his Honor the Mayor desire to sell 31 acres of public land? Has he entered into some land deal with some real estate operator to buy it at a low price and sell it at a high price? What is this sudden demand for the selling of public property? There are altogether too many deals being put across on the public with their public lands. I think the time has come, Mr. President, when we as members of the City Council should do something about it. Not so long ago the Finance Commission called to our attention a certain deal entered into by his Honor the Mayor. The city lost anywhere from \$30,000 to \$75,000. Yet his Honor the Mayor notwithstanding that report, went ahead and sold the property at private sale. He now proposes to have the Legislature give him authority to sell either at public or private sale. Of course, we are going to be called upon to act on it. He wants the right given to him, Mr. President, to sell the land at private sale. Well, Mr. President, we have had too many

occasions now of his Honor the Mayor selling at public sale and at private sale. Every time he made a sale at private sale it stunk to the high heavens. I hope the members of the Body will go along with this resolution.

Coun. LINEHAN—Mr. President, the only thought I have in mind relative to this is that it is very possible the Mayor might be going to transfer the land in the Boston Park Department to the Boston Housing Authority for the construction of one- and two-family homes for veterans. If the present park land is not being used for park purposes, probably it might be a good thing to have it used for veterans housing. If it is for any other purpose I for one would be against it 100 per cent. If this no longer is being used for park purposes and if it can be used by the Boston Housing Authority for building one- and two-family houses, then perhaps the councilors in those districts would be for it 100 per cent. That is something we will have to find out from some committee in the Council. I sincerely hope it will be referred so we can find out what the order wants to do and what they want to do with the bill in the Legislature.

The order was referred to the Committee on Parks and Playgrounds.

RESOLUTION ON JAMES T. MORIARTY.

Coun. KEENAN offered the following:
Resolved, That this Honorable Body request his Excellency, The Honorable Robert F. Bradford, Governor of the Commonwealth, to reappoint to the office of Commissioner of Labor and Industries, the Honorable James T. Moriarty.

ACTION ON RESOLUTION RE COMMISSIONER MORIARTY.

Coun. KEENAN—Mr. President, I would like to ask suspension of the rules and passage of the order on the resolution on Mr. Moriarty so that action may be taken by Wednesday.

President KELLY—Councilor, I cannot entertain that motion. The Committee on Rules will report back later on in the meeting.

Referred to Committee on Rules.

REPLACEMENT OF ANTIQUATED GAS LAMPS ON WARD 12 STREETS.

Coun. COOK offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace the present antiquated gas lamps with modern electric arc lamps on the following-named streets in Ward 12: Moreland street, Sonoma street, Ruthven street, Wayne street.

Passed under suspension of the rule.

RESURFACING OF CERTAIN WARD 12 STREETS.

Coun. COOK offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with granolithic pavement the following-named streets in Ward 12: Cliff street, Copeland street, Crawford street.

Passed under suspension of the rule.

PAYMENT OF MEMBERS OF MEDICAL BOARD.

Coun. HANNON offered the following:
Ordered, That the members of the Medical Board, established to act on petitions of widows or dependents brought under section 89 of chapter 32 of the General Laws, be allowed and paid twenty-five dollars each for each meeting of said board which they attend and which is held for the consideration of said petitions, but not to exceed \$500 for each member in any one year; the amount so paid to be charged to the Contingent Fund.

Passed under suspension of the rule.

PROPOSED APPOINTMENT OF
RALPH COLSON.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of appointing Ralph Colson as a member of the Board of Recreation.

Coun. HANNON—Mr. President, what the intentions of his Honor the Mayor are with regard to the Board of Recreation I do not know. However, a vacancy does exist on that Board. If that vacancy must be filled, I hope it will be filled by the appointment of a live wire, somebody who has the interest of the children and real recreation at heart. Much fault has been found with the Board of Recreation. Some of it is groundless and some of it, without doubt, is based on facts. I think one outstanding factor of the Board of Recreation is that it has not been attended with much publicity. Not many people have been conversant with the work the Board of Recreation has been doing or has been attempting to do. I think this might be a cure if a live wire were put on the Board. I know Tom Turley has the interests of the youngsters at heart. I know Tom Turley. Some of the other members, I believe, are merely on there for the glory and honor of themselves. I think the purpose of the Board of Recreation in the beginning was to provide recreational facilities for the children of Boston. This might have been accomplished with or without funds. The Board of Recreation, if it could not get funds, if it aroused public interest, would get the funds elsewhere. I have been conversant with the career of Colson ever since he was a kid in the High School of Commerce. I know of his activities in the Department of Education in the state. The state has recognized his ability. He is a go-getter. Read the papers and see what he is going for the youngsters, taking them on board ships, trying to obtain scholarships, discovering ways and means of having outstanding athletes obtain proper prominence in the world of sports. A fellow like that is the type we want on the Board of Recreation. I do not know even if he will accept it. If he would accept it, I think the city would benefit by acquiring his services.

The order was passed under suspension of the rule.

TAXICAB CHARGES, EAST BOSTON
TUNNEL.

Coun. MUCHNICK offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to permit operators of taxicabs to charge passengers to the airport by way of Sumner tunnel twice the regular tunnel toll fee for said passage through the tunnel.

Coun. MUCHNICK—Mr. President, I have spoken with many cab drivers in the last three or four months who are greatly disturbed over the fact that when they go to the airport by way of the tunnel they then have to wait in line until they get another fare at the airport. Sometimes, in order to save time they "deadhead" back which means they have paid another tunnel toll, while going through empty. Many of them have found it more profitable to do that than to wait half an hour or an hour. Well, because of that hour if they wait, they are working for roughly 20 or 25 cents an hour, and none of them can afford that. Now it seems to me if a passenger to the airport wants to use a cab, he should bear the burden of that extra charge. It is the passenger who asks the cab driver to take him through the tunnel. He should pay the fare both coming and going. In view of the fact it is his transportation that makes it necessary for the cab driver to wait around once he gets to the airport, if we ask the passengers to do this we are in no way imposing any extra burden on them because the passenger is the one choosing the cab as a means of transportation. We have provided him with cabs for transportation. We have given the passenger a limousine service which he can use if he wishes. He also has the means of using the Boston Elevated Railway in order to get to the airport. If it is the passenger who decides to take a cab it seems to me only fair that he is the one who should pay the added burden that is put on the cab driver and not the cab passenger. I do not know whether it is proper under our law to

do this. I would suggest that this be sent to the appropriate committee and the Police Commissioner and the Law Department asked to come in to see if that order can be legally passed.

Coun. COOK—Mr. President, I was going to rise to a point of order. If there is such a hearing, I would like to see some of the taxicab drivers here too. I do not think it is in their interests to allow this at all.

The order was referred to the Committee on Public Safety.

RESURFACING WASHINGTON STREET.

Coun. BRYAN and CANTWELL offered the following:

Ordered, That the Commissioner of Public Works be directed, through his Honor the Mayor, to construct new sidewalks and resurface with smooth paving Washington street, from Corinth street to West Roxbury Parkway.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of Jeremiah F. Murnane (referred January 13), 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 nine hundred seventy-five dollars (\$975) be allowed and paid to Jeremiah F. Murnane 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.

PROVISIONAL APPOINTEES, FIRE AND
POLICE DEPARTMENTS.

Coun. LINEHAN submitted the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to furnish the Boston City Council with a legal opinion relative to the legal rights and benefits of provisional appointees to the Boston Fire and Police Departments in the event that said appointees are injured in line of duty, said opinion to be forwarded to the City Council prior to the next meeting, and be it further

Ordered, That in the event that said appointees do not receive compensation under the present law while they are off duty as the result of injury sustained in the line of duty, the Corporation Counsel shall prepare and submit proposed legislation to the Massachusetts Legislature at the earliest possible time, amending the law so that said appointees shall receive compensation while off duty as the result of injuries received while in the performance of said duty. In the event that said provisional policemen and firemen are killed in line of duty legislation shall be prepared to adequately furnish their families with the pension regularly given to families of permanent appointees.

Passed under suspension of the rule.

REPAIRS TO MICHELANGELO SCHOOL.

Coun. RUSSO offered the following:

Ordered, That the School Building Commissioner be requested, through His Honor the Mayor, to make major improvements and repairs to the gymnasium and main auditorium of the Michelangelo School, Ward 3, viz.:

Gymnasium (Old Hall).

A. Painting and repairing of gymnasium and corridor leading thereto. Posts in rear of said hall should either be eliminated or if this is not practical, they should be rounded out up to above five (5) feet from floor and equipped with some soft material so as to prevent serious injuries to basketball players, etc.

B. All windows should be equipped with proper shades unless it is deemed more practical to change the glass in order to provide necessary privacy for boys or girls using facilities.

C. Present lighting system, whereby lights hung over fixtures, should be changed so as to prevent ball from striking fixtures, breaking bulbs, etc. Also, should provide more adequate light.

D. Reinforcement of basketball equipment.

E. Provide about 150 seats to accommodate people when hall is used for social dances or public games.

F. Provide adequate heating system in hall and adjoining rooms on each side of stage. Also improve ventilation.

G. Construction of shower and locker room in basement, using part of space in girls' room which is not needed, instead of compelling players to walk long distance across annex and exposing themselves to danger of becoming ill by catching colds, etc., after their bodies are heated up as the result of strenuous exercise.

Main Auditorium.

A. Thorough painting of entire auditorium, corridors, and staircases leading thereto.

B. Provide proper curtain (daylight beaded curtain) for the projection of 16 mm. motion pictures in place of present one intended for 35 mm. standard pictures which cannot be used owing to lack of proper talking picture equipment.

Coun. RUSSO—Mr. President, the Michelangelo School where we have our boys and girls and the gymnasium and auditorium being used by them are in a very deplorable condition. For over 25 years these places were not even painted, to say nothing of the fixtures. However, I am not going to take the time of the Council today to enumerate the amount of work that should be done to make the place at least look decent. I took time off and made a little investigation there myself with some public-spirited citizens. I therefore would like to present this list and I would like to have it incorporated in the order, so that the department will act on it and act right away. We are confronted with a budget of over \$60,000,000. To spend a few dollars in order to make our schools look decent and bring them up to date is not too much to ask. I do not think it is too much to spend \$10,000 or \$15,000.

President KELLY—The list will be so incorporated.

The order was passed under suspension of the rule.

APPOINTMENT OF WILLIAM F. O'CONNELL.

Coun. SULLIVAN offered the following:

Ordered, That the appointment by the President of the City Council of William F. O'Connell of 88 Newland street, Boston, as substitute stenographer-clerk for Alfred C. Holland, at present on a year's leave of absence without pay, at a yearly salary of \$2,700 be, and hereby is, approved.

The question came on suspension of the rule and passage of the order.

Coun. COFFEY—Mr. President, I would like this to be sent to a committee until I find out who the gentleman is I am voting on. All of us should have been informed before any appointment was made to this body.

The order was referred to the Executive Committee.

APPOINTMENT TO BOARD OF RECREATION.

Coun. BAYLEY and LINEHAN offered the following:

Ordered, That the Corporation Council be asked to rule whether or not it is mandatory that his Honor the Mayor appoint a member of the Board of Recreation annually under the provisions of chapter 451, section 1, of the Acts of 1943; whether or not it is mandatory that he provide a budget for the minimum operation of said Board under the provisions of said chapter 451 of the Acts of 1943, and whether or not when a member's term has expired the appointment is continued.

Coun. BAYLEY—Mr. President, the Board of Recreation was set up by an act of the Legislature passed in 1943, chapter 451. It was accepted by

the City Council December 11, 1944. It went into effect January 1, 1945. Now, Mr. President, I believe it is mandatory under the provisions of the law that a member be appointed each year. Section 1 provides that upon the expiration of the term of office of a member appointed by the Mayor his successor shall be appointed by the Mayor for a term of four years. Previous Mayors have appointed annually members of this Board as former members' terms have finished. Mr. President, Miss Ellen H. Gleason's term expired January 2, 1947. There is a vacancy now on the board which should be filled under this Act of 1943, chapter 451. According to what I see in the newspapers, his Honor the Mayor has said he will not make the appointment to the Board of Recreation. Mr. President, if he feels he is against the Board of Recreation he can go to the Legislature and ask to have the law repealed. It is on the statute books. It has affected Boston. It is mandatory, in my opinion. I believe a court would so find. I am therefore asking the Council to pass this order so that the Corporation Council may give us an opinion as to whether or not the word "shall" is mandatory, and whether it is not required of the Mayor to appoint a successor who should have been appointed on January 2 of this year. One member of the Council has already offered a name for approval. I do not know the gentleman —

Coun. MUCHNICK—Mr. President, I would like a point of information.

President KELLY—Does the gentleman yield?

Coun. BAYLEY—Yes.

Coun. MUCHNICK—Did the person who is now being mentioned as one leaving the Board resign or was it an expired term?

President KELLY—I understand it is an expired term.

Coun. MUCHNICK—May I have another point of information?

President KELLY—State your point of information.

Coun. MUCHNICK—Isn't it true that under the law any person continues to serve until his or her successor is appointed and qualifies?

President KELLY—That is so, unless he resigns.

Coun. MUCHNICK—There is no resignation here, is there?

President KELLY—I have not seen any.

Coun. BAYLEY—Mr. President, I believe there is some question on the reply that you make. I have looked over the Act quite carefully. It provides that the term expires upon the expiration of the term. The term expires as of January 2, 1947. The lady in question is no longer serving. The Mayor has this obligation. Maybe he should have asked the Law Department. My opinion is the term expired January 2, 1947. There is a vacancy. No one is serving. There is no question on that. Mr. President, the second part of my order possibly may be open to a little more question. I would like a ruling of the Law Department on that. That is, whether or not the Mayor is required to provide money for a minimum budget for this Board. It is provided under section 3: "The board shall appoint a superintendent of recreation who shall devote his whole time to such duties as are imposed upon him by the act." Section 4: "The board shall study the recreational needs of said city and shall formulate plans for adequately distributed, coordinated and diversified recreational services. Such plans, with recommendations of the board, shall be submitted to departments of said city empowered by law to provide recreational services." It is impossible to have a superintendent of recreation and expect him to serve without pay when it is a full-time job. If no money is provided the board will not be able to appoint a superintendent of recreation or study the recreational needs and present proper plans unless it pays them out of its own pocket. I understand from the chairman of the Board of Recreation he is provided a minimum budget to present plans under the act of the Legislature. He is willing to perform his functions as required by the Legislature. I quote from the editorial in the morning paper:

"Of all places to pinch pennies, Mayor Curley has chosen recreation! The city that gave Joseph Lee and the playground movement to the nation has become a backwash of idle, decaying facilities and neglected opportunities, a model to the country of how to neglect the young and promote delinquency.

"The city's rich resources in recreation deteriorate in idleness, as children play in the streets. And Mr. Curley flings a defiance at the Legislature by letting the board die of starvation."

I believe it was the intent of the Legislature that this Board of Recreation should try to bring order out of the chaos and confusion that now exists in our playground system. I believe in providing the words "shall appoint a superintendent," that a superintendent shall be appointed, and that meant for the Mayor to perform his duty. The Mayor might not be too much in favor of this board. It is mandatory to provide another member of the board and a superintendent. I hope the Council will go along with me and we will get an opinion from the Corporation Counsel as to whether or not it is mandatory on the Mayor and as to whether or not he is fulfilling his duty as Mayor of Boston under the provisions of chapter 451.

Coun. COFFEY—Mr. President, all I want to say is that the information I have received is that it is a woman whose term has expired, Ellen Gleason. Because Mary Driscoll is doing such a poor job as head of the Boston Licensing Board and because she has carefully stated she has the good of the children at heart, I urge that Mary Driscoll replace this lady now retired.

Coun. LINEHAN—Mr. President, I move an amendment to the order asking the Corporation Counsel to render us an opinion relative to section 1 as to whether or not a member whose term has expired shall continue as a member until her successor is appointed.

The question came on the amendment, and the amendment passed. The question came on the passage of the order as amended, and the order was passed under suspension of the rule.

ACCEPTANCE OF ADAMS CIRCLE, WARD 11.

Coun. MORIARTY offered the following:

Ordered, That his Honor the Mayor confer with the Board of Street Commissioners to consider the advisability of accepting and laying out Adams Circle, Ward 11, Jamaica Plain.

Passed under suspension of the rule.

SYMPATHY TO DR. MARY MOORE BEATTY.

Coun. HURLEY and LANE offered the following:

Resolved, That the Boston City Council, in meeting assembled, hereby extends its heartfelt sympathy and condolence to Dr. Mary Moore Beatty, Trustee of the Boston City Hospital, in the recent death of her beloved husband, John Francis Beatty.

Passed under suspension of the rule.

President KELLY—At this time the Chair will appoint Councilor Hurley as temporary chairman of the Executive Committee.

HANDBALL COURTS NEAR CARSON BEACH BATH HOUSE.

Coun. LINEHAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to construct two handball courts adjacent to the Carson Beach Bath House.

Passed under suspension of the rule.

ASH AND GARBAGE CONTRACTS.

Coun. CHASE offered the following:

Ordered, That the Council Committee on Appropriations thoroughly inquire into all angles of the ash and garbage contracts let out by the city with a view to determining the advisability and possibility of giving the same to lower qualified bidders.

Coun. CHASE—Mr. President, you will no doubt recall how arrogant and dictatorial his Honor the Mayor was some time ago in refusing to allow his department heads to come before us to give us information as to the ash and garbage contracts. You will remember, sir, his Honor the Mayor said that it was none of the Council's business, it was purely an administrative matter. Well, Mr. President, the matter is now before us today. There is a new 1947 budget, a budget containing \$64,000,000 requested by his Honor the Mayor. You will find those items in the Public Works Department which his Honor the Mayor wants us, each one of us, to approve. Mr. President, this is not a matter which is outside the jurisdiction of the Council. It is a matter which is entirely within the jurisdiction of the Council. If it were not so, why has his Honor the Mayor submitted in a \$64,000,000 budget those very items pertaining to the ash and garbage removal? Now, Mr. President, I say to you that, in view of the fact that there has been a serious charge made of graft and collusion, serious intimations, sir, that his Honor the Mayor is not acting for the best welfare of the city in letting out these contracts, I say, in view of those serious charges, that it is up to us now to thoroughly inquire into each contract let out. We can do so through our Committee on Appropriations. This committee is now charged with the duty of finding out whether or not each item is reasonable or unreasonable, and of determining whether or not it is for the best interests of the taxpayers for the City Council to pass this budget as presented by his Honor the Mayor. That is, sir, our duty. That is what the arrogant gentleman downstairs said that we had no jurisdiction over, that it is purely an administrative matter. I repeat, sir, this matter is now before us. I am reminded that the gentleman from Brighton (Councilor Madden) hurled some very serious charges when he said there was graft and collusion. He went so far as to name the bagmen of this administration. Nothing has been done about it. Are we automatically going to pass on his Honor the Mayor's budget of \$64,000,000? I recall a time back in 1939 when I was chairman of the Committee on Appropriations. At that time the annual municipal budget was \$42,000,000. There is a terrific increase over your 1939 figures. Yet we have the power, if we only assert ourselves, to reduce this budget. That is our main power. What action do we take on this matter, especially in view of the charges made? I have hopes, sir, your Committee on Appropriations will see fit to get a special appropriation from our Contingent Fund and publicly advertise in every newspaper in Boston that the Committee on Appropriations would like to have all persons interested in bidding on ash contracts come in before the committee and tell the committee at what price they are willing to do the same work that his Honor the Mayor has let out to the favored contractors. We have power today to do that. I say, if your committee does that and ascertains for a fact that the city can accomplish a big saving over the prices that his Honor the Mayor has entered into, then we, as the body charged with the duty of making reductions in the budget when necessary, should reduce the budget or tell his Honor the Mayor we will hold this budget up until the retletting of these contracts is accomplished. This, sir, is a reasonable order. It is merely calling upon your Committee on Appropriations to do something which they are charged with the duty of doing. It is merely reminding them, sir, of something which took place only a month ago and on which I have had occasion to check from outside sources, and I am led to believe, sir, we can do something on behalf of the taxpayers by finding ways of reducing the items for the garbage and ash contracts. I hope, sir, your committee will realize the powers they have vested in them. I hope, sir, that they thoroughly inquire into these ash and garbage contracts with a view of making material reductions.

The order was referred to the Committee on Appropriations.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Report on petition of Strand Daylight Bowling Alleys (referred January 13) for license to operate

bowling alleys on the Lord's Day — recommending that permit be granted.

Coun. HANNON — What is the address?

President KELLY — No. 547 Columbia road, Dorchester.

Coun. HANNON — I would just as soon have it held for a minute.

President KELLY — The chairman of the committee withdraws the report.

Coun. LINEHAN — Mr. President, a point of information. I would like to know from the chairman of the Committee on Licenses, are we going to net on the petition referred back last week relative to the Boston Waterways, Inc.?

Coun. COFFEY — Mr. Fairbank was present at the meeting Friday. He has agreed as to the toll after a check is taken on all cabs used in the Summer Tunnel. The check-up is to be today, tomorrow, and Friday. We are also getting a ruling from the Law Department as to whether or not we can put a clause in there asking Mr. Fairbank at no time to ask that the Northern Avenue drawbridge be opened, an agreement which Mr. Fairbank made. Then we told Mr. Fairbank action would be taken a week from today. He agreed to that, also.

RECESS.

On motion of Councilor Sullivan, the Council voted to take a recess at 4.10 p. m., subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 5.30 p. m.

REPORT OF EXECUTIVE COMMITTEE.

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

1. Report on order (referred today) that appointment of William F. O'Connell as substitute stenographer-clerk for Alfred C. Holland be approved—recommending that order pass.

The question came on the acceptance of the report of the committee. The report was accepted.

Coun. MUCHNICK—Mr. President, could I have the order read?

(The order was read.)

Coun. MUCHNICK—Mr. President, at the outset let me make it clear I have absolutely nothing against this particular individual named in this order. I understand he works in the Election Department, so the chances are I know him. I do not connect that particular name with any particular face in that department. This is purely, as far as I am concerned, a matter of the proper procedure for the Council to follow. In my opinion, we do not need to have another job filled, and because of that I do not think we ought to take advantage of the fact a temporary vacancy occurred to give patronage when patronage is not needed and at a time when the City of Boston can very well pull in its oars and cut down here and there in order to save expenses. Assuming that this job would have to be filled, and I am assuming that for the moment only for the sake of argument, I understand from the discussion that went on in the Executive Committee that this applicant in particular does not know how to do stenography, and this job calls for a stenographer. If it calls for a stenographer, we should hire a person equipped with that knowledge. Now I suggested in the other room when we were in Executive, and I suggest again here now, let us lay this matter aside and let it ride for three or four or five weeks. Let us see if the work of the Council or the running of the City of Boston is in any way interfered with or delayed by the fact that this job is not filled. If at that time we can see any hindrance in the progress of the work of the Council or anything that in any way interferes with the proper functioning of the City of Boston, then will be ample time for us to talk about filling the job. But until such time as we learn that, it seems to me we owe a duty not necessarily to giving a job to somebody who might need one, because there are hundreds and perhaps thousands of people who could be employed by us if that were the only test. We owe our duty to the taxpayers of the city not to spend their money foolishly. We owe it to them to save as much money for them as we can so that it can

be used in the proper channels. I move, Mr. President, that this matter lie on the table.

President KELLY—There is no debate.

The question came on the motion to lay on the table, and it was not a vote. Councilor Bayley doubted the vote and asked for a roll call. A sufficient number of councilors having joined him, the clerk called the roll. The motion to lay on the table was defeated, yeas 5, nays 9:

Yeas—Councilors Bayley, Bryan, Chase, Keenan, Muchnick—5.

Nays—Councilors Coffey, Hurley, Kelly, Lane, McCormack, Moriarty, Russo, Scannell, Sullivan—9.

Coun. COFFEY—Mr. President, my views are entirely the opposite to the view taken by the councilor who has just spoken (Councilor Muchnick). In my opinion, we definitely need another employee in the Boston City Council. I never met this gentleman. I think a mistake has been made in that he has not been introduced to the members of the Council, so we would know we had one more employee in our department here. In fact, we have lost Al Holland, a fellow we all liked and admired. He was a good worker. It is going to take a pretty good man to fill Al's place. From what I heard from Councilor Sullivan and Councilor Lane, who know the gentleman and know that he was on the job in the Election Department, he is a man who has had experience in City Hall. I think he will know the wants of the City Council. I think he will be able to fill Al's shoes in a very short time. This man took up typing to better himself, and he took up shorthand. He even went so far as to go back to school for a period. Even after he came back from the service he saw fit to take extra training under the G. I. Bill of Rights. I hope that the order is passed. I want it stated for the press, if the press was taking the statement of Councilor Muchnick, in my humble opinion the Boston City Council needs another employee to take the place of Al Holland.

Coun. BAYLEY—Mr. President, I hope the order will not pass today. We can have sufficient time to consider it thoroughly. I have not been shown the need of an additional employee. I would like to let this go for a month or so. If the work is overburdening the employees we have now, we can decide then we need another employee. I have heard no evidence that we need another employee. This man cannot do shorthand. There is a question of how good a typist he is. The man he replaces was a good shorthand man and a typist. If there is need of an employee, we have not been convinced this is the best man. Is this another private sale? Are we going to get the best man we can get? Let us leave it open and see who else will take the position at the big salary of \$2,700. Let us see if we can get a man to type and take shorthand, and get the best man possible. Let us see if civil service has a good man for the job. I am not convinced. I do not believe in private sales. I believe in getting the best man. I am not convinced we need another man. It is the first time we ever heard a new man was going to be brought before us. If he is the best man we can get, let us consider it. I do not believe he should be paid a salary over that which some others have been getting over a long time. I am not going to throw the people's money away. If we cannot have economy in our own Council, how can we expect to have it anywhere else? The people of Boston are looking to us to see what we can do. If we can achieve efficiency and economy, let us do so. Let us wait and see what disposition is made of this and if this is the best man we can have in Boston.

Coun. SULLIVAN—Mr. President, I do not feel you are going to gain anything by prolonging this. Where the opposition has originally moved to lay this matter on the table, I now move the previous question.

The question came on the previous question, and it was declared voted. Councilor Bayley doubted the vote, and, a sufficient number of councilors having joined him, the clerk called the roll. The motion was lost, yeas 4, nays 7:

Yeas—Councilors Hurley, Lane, Kelly, Sullivan—4.

Nays—Councilors Bayley, Bryan, Keenan, Linehan, McCormack, Moriarty, Muchnick—7.

Present—Councilors Chase, Coffey, Russo, Scannell—4.

Coun. CHASE—Mr. President, I wish to be recorded no.

Coun. KEENAN—Mr. President, I doubt the presence of a quorum.

President KELLY—Councilor Keenan doubts the presence of a quorum. The clerk will call the roll.

Coun. SULLIVAN—Mr. President, if a motion is in order, I move, if we adjourn in the doubting of a quorum, we adjourn until 6.45 p. m.

President KELLY—Councilor Sullivan is in order. Councilor Sullivan moves, if we do adjourn, we adjourn to 6.45.

Coun. MUCHNICK—Mr. President, a point of order. If there is no quorum, once it has been doubted, I do not know that we can move to adjourn or recess or suspend for anything.

President KELLY—I am here to uphold the rules of the Council. Councilor Sullivan's motion is in order. The question is on the doubting of the quorum, and the clerk will call the roll. If there is an adjournment, we adjourn to 6.45.

Coun. MUCHNICK—Mr. President, a point of order.

President KELLY—The Chair will call a recess for five minutes while he studies over the rules.

(Short recess.)

President KELLY—The Chair was in error on Councilor Sullivan's motion. The motion before the Body on which a roll is started to be called is Councilor Keenan's motion doubting a quorum, and the clerk will call the roll.

Coun. SULLIVAN—Mr. President, there is nothing in our rules preventing us, when we adjourn, to adjourn to a specified time. I move that we adjourn until tomorrow afternoon at 2 o'clock.

President KELLY—A quorum is in doubt. There is no other business before the Body. No motion can be accepted.

Coun. SULLIVAN—Mr. President, I refer you to Rule 2.

Coun. MUCHNICK—Mr. President.

President KELLY—Wait a minute.

Coun. SULLIVAN—I will read Rule 2. "Rule 2. A quorum of the city council shall consist of twelve members. If, at the time any meeting is called to order, or if, during a meeting, on a vote on the adoption of a motion or order, or on a point of order raised by a member, a roll call shows less than a quorum present, the president shall declare the meeting adjourned; provided however, before adjournment is declared he may

entertain a motion to adjourn to a specified time and said motion may be adopted by a majority vote of the members then present, and a meeting held in accordance therewith, if otherwise valid, shall be a legal meeting of the city council." That is Rule 2, Mr. President, of the rules of the City Council.

President KELLY—What year is that?

Coun. SULLIVAN—It does not make any difference. We carry them on year after year. This is rule book 1945. If there is an error in 1947—

President KELLY—The Chair will have to be governed by the rules for 1946 and 1947.

Coun. MUCHNICK—Mr. President.

President KELLY—Just a moment while Councilor Sullivan studies the rule book.

Coun. SULLIVAN—I do not know when the rules were changed. It seems as though a few words were deleted from our book because, Mr. President, as I told you up there at the chair, they were in the minutes of years past.

President KELLY—Councilor Sullivan, there is no discussion allowed, and a roll call is in order. Councilor Keenan doubted the presence of a quorum, and the clerk will call the roll.

Coun. SULLIVAN—Can we revert back to the roll call previously put before this one? There was a sufficient number.

President KELLY—A councilor may make a motion to doubt a quorum at any time.

Coun. SULLIVAN—Can the Chair declare by the rules of 1947 a ten-minute recess?

Coun. MUCHNICK—Mr. President.

President KELLY—I cannot on a question of a quorum accept any motions. I must act according to the rules. A quorum has been doubted, and the clerk will call the roll. There is no debate.

The roll was called, and there were ten members present, which was less than a quorum, viz.:

Present—Councilors Coffey, Kelly, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan — 10.

Adjourned at 5.48 p. m., to meet on Monday, February 10, 1947, at 2 p. m.



CITY OF BOSTON.

Proceedings of City Council.

Monday, February 10, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Cantwell and Fish.

The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Goods for term ending April 30, 1947:

John H. Holmes, 43 Burch street, Arlington, Mass.; Edwin H. Fritz, 90 Pearl street, Cambridge, Mass.

Constables without power to serve civil process, and to serve without bond for term ending April 30, 1947, viz.:

Charles J. McGrath, 46 Columbia road, Dorchester, Mass.; Alfred Santosuosso, 33 Thatcher street, Hyde Park, Mass.; and Alfred Blaustein, 23 Fernboro street, Roxbury, Mass., authorized to serve civil process upon filing of bond.

Severally referred to the Committee on Constables and Confirmations.

TRAFFIC LIGHTS AT HUMBOLDT AVENUE AND SEAVER STREET.

The following was received:

City of Boston,

Office of the Mayor, February 6, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Traffic Commissioner relative to your order of January 27, 1947, concerning the installation of traffic signal lights at the junction of Humboldt avenue and Seaver street, Roxbury.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Traffic Commission, January 31, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—This is in reply to Council order dated January 27, 1947, which reads as follows:

"Ordered, That the Traffic Commissioner be directed by his Honor the Mayor to install traffic signal lights at the junction of Humboldt avenue and Seaver street, Roxbury."

There are no funds available at this time for the installation of traffic signals at this intersection.

Cable cannot be purchased and General Rose advises that the Supply Department has tried for the past few months to buy from the War Assets Administration without success.

Humboldt avenue and Seaver street is a dangerous intersection, especially for pedestrians and should be signalized when funds and equipment are available.

Very truly yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

SURVEY OF TAXICABS USING SUMNER TUNNEL TO AIRPORT.

The following was received:

City of Boston,

Office of the Mayor, February 6, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Traffic Commissioner relative to your order of January 27, 1947, concerning the making of a survey of the number of taxicabs using the Sumner Traffic Tunnel going to and from the East Boston Airport.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Traffic Commission, February 5, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—This is in reply to Council order dated January 27, 1947, which reads as follows:

"Ordered, That the Boston Traffic Commission be requested, through his Honor the Mayor, to make a survey of the number of taxicabs using the Sumner Traffic Tunnel going to and from the East Boston Airport."

Attached herewith is survey referred to.

Very truly yours,
WILLIAM P. HICKEY, Commissioner.

Survey of the number of taxicabs using the Sumner Tunnel and the number of taxicabs going to and from the Logan Airport via the Sumner Tunnel during the ten-hour period between 1 p. m. and 6 p. m., Monday, February 3, and 8 a. m. to 1 p. m., Tuesday, February 4.

TIME.	BOSTON SIDE.			EAST BOSTON SIDE.			BOTH DIRECTIONS.		
	To Airport.	To Other Places.	Total Cabs.	From Airport.	From Other Places.	Total Cabs.	To and From Airport.	To and From Airport.	Total Cabs.
1 p. m. to 6 p. m., Monday, February 3.....	179	120	299	163	94	257	342	214	556
8 a. m. to 1 p. m., Tuesday, February 4.....	138	70	208	165	53	218	303	123	426
Total.....	317	190	507	328	147	475	645	337	982
Percentage.....	60.5	39.5	100.0	69.0	31.0	100.0	65.7	34.3	100.0

Peak hour 4 p. m. to 5 p. m. in both directions.
Cabs averaged about one person per trip.
During 10-hour period Sutcliffe's limousines made forty-two round trips.

President KELLY—Placed on file.
 Com. SULLIVAN—Mr. President.
 President KELLY—Councillor Sullivan.
 Com. SULLIVAN—1 move that last communication be referred to the Committee on Licenses.
 Com. KELLY—Councillor Sullivan moves the last communication be referred to the Committee on Licenses. All those in favor say aye, those opposed. It is referred to the Committee on Licenses.

PURCHASE OF LAND ON BRUCE STREET, WEST ROXBURY.

The following was received:

City of Boston,
 Office of the Mayor, February 5, 1947.
 To the City Council.

Gentlemen,—I transmit herewith communication from the chairman of the Park Department relative to your order of January 20, 1947, in connection with the possibility of purchasing the lot of land adjoining the present accepted location for a small playground on Bruce street, West Roxbury.

Respectfully,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Park Department, February 3, 1947.
 J. Joseph Connors,
 Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of January 23, with inclosure, order from the City Council that the Park Commission consider the possibility of purchasing the lot of land adjoining the present accepted location for a small playground on Bruce street, West Roxbury.

The lot in question has 7,447 square feet. The land in question to be purchased by this department for playground purposes is very necessary. This department controls five lots with the lot in question between two of the lots now owned. Unless this lot containing 7,447 square feet is purchased there will be four lots city owned, then a gap privately owned and then an adjoining lot city owned.

Consideration should also be given to purchasing four in the rear to the northwest containing 16,001 square feet and thus provide suitable depth for a children's playground. At the present time the average depth for a playground is 100 feet. In my opinion this depth is too shallow, but if we could acquire the four other lots we would then have a children's playground with a maximum depth of 200 feet and a frontage on the Veterans of Foreign Wars Parkway.

Very truly yours,
 WILLIAM P. LONG, Chairman.

Placed on file.

"MISSION HILL VETERANS' MEMORIAL CIRCLE."

The following was received:

City of Boston,
 Office of the Mayor, February 4, 1947.
 To the City Council.

Gentlemen,—I transmit herewith communication from the chairman of the Park Department relative to your order of January 20, 1947, in connection with resurfacing the island on Huntington avenue, at the intersection of Francis street, with colored flagstones, providing a flagpole and new benches thereon, and changing the name of this island to "Mission Hill Veterans' Memorial Circle."

Respectfully,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Park Department, January 31, 1947.
 J. Joseph Connors,
 Chief Clerk, Mayor's Office.

Dear Sir,—I am acknowledging your letter of January 23, regarding the resurfacing of the island on Huntington avenue at the intersection of Francis street with colored flagstones; also, that this island be named "Mission Hill Veterans' Memorial Circle."

The circle in question is approximately 33 feet in diameter. It is of turf built up about 10 inches above the sidewalk. Around the perimeter are benches facing towards the roadways. In the

center is a light pole and a sign reading "Hanson Square," inadvertently, this sign was placed there by the Public Works Department, and the intersection is known as "Brigham Circle," after the hospital adjacent that bears this name.

There is no way in which the circle can be reconstructed and named "Mission Hill Veterans' Memorial Circle." The suggestions cover the removal of the turf, the construction of new benches to face towards the center of the circle, the surfacing of the area with flagstones and the erection of a flagpole in the circle.

In order to construct the area with flagstones it would be necessary to excavate the turf and loam down to the grade of the sidewalk, and unless this was done a 10-inch high step would be necessary which would tend to be dangerous. The turning around of the benches so as to have them face in, instead of out, would also be very unwise. In a circle of such a small size the benches around the perimeter facing in, would, in my opinion, mean less privacy for the users of the benches as they would be in close proximity to the other sitters and facing them. Certainly, under such conditions it would not be used to attract many female sitters.

The area has been named the "Brigham Circle" in honor of the hospital bearing its name—it has also been named "Hanson Square"—inadvertently, the proper and true name on record in this department is "Brigham Circle" and to change it would be extremely difficult.

Very truly yours,
 WILLIAM P. LONG, Chairman.

Placed on file.

PARKING FACILITIES, CITY HOSPITAL VISITORS.

The following was received:

City of Boston,
 Office of the Mayor, February 5, 1947.
 To the City Council.

Gentlemen,—I transmit herewith communication from Mr. Jeremiah F. Sullivan, Acting Executive Director, Boston Housing Authority, received by the Superintendent of the Boston City Hospital, concerning your order of December 2, 1946, relative to parking facilities for visitors at the hospital.

Respectfully,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Hospital Department, January 31, 1947.
 Mr. J. Joseph Connors,
 Chief Clerk, Mayor's Office.

Dear Mr. Connors,—Enclosed is a copy of a communication received from Mr. Jeremiah F. Sullivan, Acting Executive Director, Boston Housing Authority, with regard to the order of the City Council concerning the question of parking facilities for those persons who visit the patients at the Boston City Hospital.

Sincerely yours,
 JAMES W. MANARY, M. D.,
 Superintendent.

Boston Housing Authority,
 10 Post Office Square, Boston.
 January 18, 1947.

James W. Manary, M. D., Superintendent,
 Boston City Hospital.

Dear Dr. Manary,—Your letter of December 13, 1946, relative to the following order—

"Ordered, That his Honor the Mayor direct the trustees of the Boston City Hospital to provide proper parking facilities for those people who are visiting patients in the hospital and confer with the Boston Housing Authority relative to the use of the vacant land on Harrison avenue, the property of the Housing Authority, for a hospital parking lot."

has been brought to the attention of the members of this Authority.

It is the opinion of the members that construction will start on this site within the very near future. In view of this fact, it is not deemed advisable to allow the area located in the South End, known as Development Mass-2-6, to be used for hospital parking facilities.

If this area were to be used for a parking area a considerable expense would be involved, and as the area could be used for only a short period of time, this expenditure would not be advisable.

The Authority regrets that it cannot be of assistance to you in this matter.

Very truly yours,
 JEREMIAH F. SULLIVAN,
 Acting Executive Director of the Authority.
 Placed on file.

**FORTY-EIGHT-HOUR WEEK FOR
 FIREMEN.**

The following was received:

City of Boston,
 Office of the Mayor, February 7, 1947.
 To the City Council.
 Gentlemen,—I transmit herewith communication from the Fire Commissioner relative to your order of February 3, 1947, concerning the forty-eight-hour week for firemen.

Respectfully,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Fire Department, February 6, 1947.
 Hon. James M. Curley,
 Mayor of Boston.

Attention: Mr. J. Joseph Connors.
 Dear Sir,—I am returning herewith to you Honor the attached communication from the City Council as introduced by City Councillor Coffey and attested to by City Clerk John B. Hynes.

Will you kindly inform the honorable members of the City Council that the mandate of the people of Boston who voted a forty-eight-hour week for firemen is being strictly complied with in accordance with the statute which prescribed a forty-eight-hour work week for permanent firemen. The forty-eight-hour week for permanent firemen became effective at 8 a. m., February 4, 1947.

The additional working hours for provisional firemen were established to accelerate their training program and qualify them for permanent positions in the department.

The work week established for the provisional men has been approved by your Honor and certified to by the Corporation Counsel as being within the legal jurisdiction of the Fire Commissioner and complying in every respect with the present statute.

Respectfully yours,
 RUSSELL S. CODMAN, JR.,
 Fire Commissioner.

Placed on file.

**APPROPRIATION FROM CEMETERY
 FUND INCOME.**

The following was received:

City of Boston,
 Office of the Mayor, February 6, 1947.
 To the City Council.

Gentlemen,—In the preparation of the 1947 budget, provision was made, as in previous years, 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,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Park Department, February 5, 1947.
 Hon. James M. Curley,
 Mayor of Boston.

Dear Mr. Mayor,—By vote of the Board of Park Commissioners you are respectfully requested to issue an order on the City Council that the sum of \$60,000 be appropriated from the income of the Cemetery Fund, to be expended under the direction of the Park Commissioner for Cemetery Division maintenance and improvement. This sum is to be appropriated under the provisions of chapter 117 of the Acts of 1913.

When making up the budget estimates for the Cemetery Division for the year 1947 it was indicated that the amount of \$60,000 could be deducted

from the A-1 item (Permanent Employees) if permission was given to use \$60,000 for maintenance and improvement from the General Cemetery Fund.

Respectfully yours,
 WILLIAM P. LONG, Chairman.

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.
 Referred to Committee on Appropriations.

**UNITED STATES SAVINGS BOND
 ALLOTMENT PLAN.**

The following was received:

City of Boston,
 Office of the Mayor, February 7, 1947.
 To the City Council.

Gentlemen,—For the past five years, at the request of officials of the United States Treasury Department, the city has been making pay roll deductions for the purchase of United States Savings Bonds. During this period over \$3,000,000 has been deducted from salaries of city and county employees for that purpose. Eight thousand employees are still buying bonds of their government under this plan.

The officials of the United States Treasury Department have urged the continuance of this plan for an indefinite period. It is desirable, in my opinion, to continue to cooperate with the Federal Government in this worthwhile program.

I therefore submit herewith an appropriation order for the continuance for another year of the unit responsible for the handling of these pay roll deductions, and respectfully recommend adoption of this order by your Honorable Body.

Respectfully,
 JAMES M. CURLEY, Mayor.

Ordered, That the sum of twenty-seven thousand dollars (\$27,000) be, and the same hereby is, appropriated, to be expended under the direction of the Mayor, as administrative expenses in connection with the United States Savings Bond Allotment Plan, said sum to be charged to the Contingent Fund when made.
 Referred to Executive Committee.

ABSENCE OF MAYOR FROM CITY.

The following was received:

City of Boston,
 Office of the Mayor, February 6, 1947.
 To the City Clerk,
 City Hall, Boston.

Dear Sir,—You are hereby notified of my intended absence from the city from February 8 to February 28, 1947, inclusive.

Very truly yours,
 JAMES M. CURLEY, Mayor.

Placed on file.

**REVISION OF FEES FOR LICENSES AND
 PERMITS.**

The following was received:

City of Boston,
 Office of the Mayor, February 5, 1947.
 Statement of His Honor the Mayor.

There has been no general revision of fees for licenses and permits issued by the various departments of the city since 1938.

Believing that many of these fees should be revised upward, I have appointed a Board, on new sources of revenue, to be composed of City Auditor Charles J. Fox, as chairman, City Collector Daniel Donovan, and City Clerk John B. Hynes. The purpose of this Board is to make such recommendations, which result from a study made by the members of the Board, at the earliest possible moment.

Department heads are directed to study the fees in their respective departments, and make the necessary suggestions directly to this Board, which they feel might result in increased revenue.

Placed on file.
 JAMES M. CURLEY.

PETITIONS REFERRED.

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

Claims.

William C. Bayer, to be reimbursed for money due him as employee of Public Works Department, Sewer Division.

Dr. Joseph H. Carey, to be reimbursed for services rendered Harold Wesson, employee of Public Library.

Frances Carney, for compensation for injuries caused by an alleged defect in Camp McKay.

Emil DiNozzi, for compensation for damage to car by fire engine.

Mux Franklin, for compensation for damage to car by car of Police Department.

Green Brothers Realty Trust, to be reimbursed for taxes paid on property not owned by them on Renfrew street.

Garode R. Joyce, to be reimbursed as result of accident which occurred while in performance of duty as employee of Fire Department.

Jennie M. Lopes, for compensation for loss of coat while patient at City Hospital.

Laurence J. McLaughlin, to be reimbursed for money due him as employee of Public Works Department, Sewer Division.

John A. Nagle, to be reimbursed as result of accident which occurred while in performance of duty as employee of Bridge Division.

Packard Pharmacy, Inc., for compensation for damage to property at 46 Maverick square, caused by water being shut off.

St. Paul Fire & Marine Insurance Company, to be reimbursed for payment of loss to Harold C. Blanchard on account of damage to his car by fire apparatus.

Harry Simon, for compensation for damage to car by fire engine.

Temple Drug Company, for compensation for damage to property at 132 Cambridge street, caused by defective sewerage system.

Morris Young, for compensation for damage to property at 132 and 142 Cambridge street, caused by defective sewerage system.

Mary E. and Cecilia A. Donoghue, to be reimbursed for damages by reason of negligence of city in front of 220 and 222 Tremont street.

NOTICE FROM DEPARTMENT OF AGRICULTURE.

Notice was received from the Department of Agriculture *re* certificate for out-of-state dogs.

Placed on file.

APPOINTMENT OF FREDERICK A. DAKIN.

Notice was received from the State Board of Housing that at a meeting on February 3, 1947, Frederick A. Dakin of 11 Ardmore road, Boston, was appointed as the representative member of the State Board of Housing to the Boston Housing Authority, the term ending December 23, 1948.

Placed on file.

ELEVATED SERVICE BETWEEN CITY POINT AND SOUTH STATION.

The following was received:

Boston Elevated Railway Public Trustees,
February 3, 1947.

To the Honorable City Council.

Gentlemen,—As requested by your Honorable Body at a recent hearing, the trustees have considered the question as to whether, with the introduction of an independent car line between City Point and the South Station, with a 5-cent fare without transfer privilege, the service between these two points would be self-supporting, and have instructed me to present to you the result of our study, based on counts for a typical week day on the City Point—South Station and the Army Base—South Station car lines.

The study shows that, with the present 10-cent fare and transfer privilege, income per weekday

on these particular lines is \$138.29 in excess of cost of service. That is the income in excess of cost of service credited to these two lines without definite allocation of cost of carrying 8,098 passengers transferring to and from these lines according to length of ride over the entire system.

On the other hand, the study shows that, on the same basis, with a 10-cent fare with transfer privilege on these two lines and an independent 5-cent fare line without transfer privilege between City Point and South Station, the income would fall short of meeting the cost of service by \$80.16 per weekday.

The riding on these lines varies slightly each day, but not sufficiently to materially affect the result shown by the study.

The study indicates that the introduction of such an independent car line between City Point and the South Station would result in a reduction in revenue and an increase in operating costs which would convert the present excess of revenue over cost of service of \$138.29 per weekday (without definite allocation of cost of carrying transfer passengers according to length of ride over the entire system) to a loss of \$80.16 per day.

A simple check on the problem is the fact that, during the calendar year 1946, we carried 433,004,952 revenue passengers, the total wage cost charged to operating expenses was \$23,122,763.31, and the wage cost per revenue passenger, with no allowance for other operating expenses or for fixed charges, was 5.34 cents.

Very truly yours,

EDWARD DANA,
President and General Manager.

Placed on file.

REPORT OF COMMITTEE ON PARKS AND PLAYGROUNDS.

Coun. BAYLEY, for the Committee on Parks and Playgrounds, submitted the following:

Report on resolve (referred February 3) that City Council is opposed to enactment of House Bill 768, authorizing the city to sell Dorchester park in Wards 16 and 17—that same ought to pass.

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

Coun. BAYLEY—Last Friday, the committee held a public meeting on this matter at which everybody who attended was in favor of the resolve and was opposed to House Bill 768. There were many representatives there of various organizations. Father E. Ambrose Gallagher of St. Gregory's Parish was there. I received letters from one or two other Fathers. Representatives of Legion Posts and veterans' organizations were there, all in favor of the resolution, against House Bill 768. At that time it was brought out that this park is serving approximately 500 children each day. It is a going concern, and it is the feeling of your committee that no land should be sold which is now being used for playgrounds in the City of Boston. From all the testimony we received, that still is used by the City of Boston and at certain times of the year every part of it is in use, especially during the summer months. We think it is poor policy to authorize public or private or any other kind of sale of land now used by the Park Department and which is used for the children of Boston. It was brought out if this land were sold there was no other playground nearby, although there are four schools in the near vicinity. If that land were sold, other land should be bought and playgrounds erected to take care of the children in this district. I hope this resolve is passed.

Coun. CHASE—As co-sponsor of the order I join with the councillor from Dorchester (Councillor Keenan) because I not only feel strongly against the sale of playground property, but I feel strongly against his Honor the Mayor selling this land to private interests at private sale when those private interests in turn can turn around and resell it at a higher price. Under the terms of the bill, sir, that is exactly what could happen. With that in mind, sir, and in view of the Finance Commission's prior report concerning the Mayor's private sales, I feel it is for the best interest of the city for the Council to go along in opposition to this bill. I trust, sir, your Body as a whole will oppose the measure.

The resolution was passed.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Report on petition of Strand Daylight Bowling Alleys to operate bowling alleys on the Lord's Day—that permit be granted.

Report accepted; permit granted under usual conditions.

REQUESTED REMOVAL OF POLICE COMMISSIONER.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor request information from Governor Bradford as regarding the removal of Police Commissioner who is over seventy years of age.

Coun. COFFEY—Mr. President, briefly on this and not going into the details of Police Commissioner Sullivan as a Police Commissioner and his official duties, I think now that Commissioner Moriarty has been removed as being over age, Governor Bradford should go down the line and remove every one over seventy years of age. This will help to make room for the veterans.

Coun. LINEHAN—I would like to hear the order read again.

President KELLY—The clerk will read the order.

(The order was read.)

Coun. LINEHAN—Mr. President, I hope I don't get involved in any personalities, but it does not seem to me the Council should go on record as asking the Mayor to ask the Governor to do anything regarding Commissioner Sullivan. It happens Commissioner Moriarty was retired for many other reasons than age, and I don't think that it was because of his age. In the case of Commissioner Moriarty, his term had expired and the Governor had all the right in the world to submit a new name for Commissioner of Labor and Industries, and that is what he did, and he could pick anybody of his own choosing, which he did. In the case of Commissioner Sullivan, his term still runs on—I believe it has several years to go—and I believe a man of Commissioner Sullivan's honesty and integrity and ability should be retained at least until his term expires. I don't go along with the thought that the Governor of this Commonwealth has that a man is done when he is seventy years of age. If that is true, we would have men like Baruch, one of the best statesmen of the United States, who was called upon by the President of the United States for his services, out of the running, and that would go for many men, not only in private life but in government service and in business. Men are not finished at seventy years of age, I hope I am not, and that many members of the Council are not at seventy. Are we going to take the stand that when a man reaches seventy years of age he is all done and should retire to the Old Home or something? I contend it is up to each individual case. If the man is healthy and still retains his faculties and is doing his job, whether in the state service, the city service, or the Federal service, he should be retained. You can't put a young veteran in the place of Commissioner Sullivan as Commissioner of Police in Boston. I sincerely hope the councilor will withdraw this order because I, for one, happen to think a lot of Commissioner Sullivan. I think he is an able man, and I think he is honest. Certainly, he has his drawbacks, we all have. I have a drawback in that I like to get up here and talk. Some men don't like me for it in the Council, but, as I say, we all have our drawbacks and defects. I think Commissioner Sullivan's assets more than outweigh his so-called liabilities. What of it if the man does some things some people don't like in public office? I have requested different favors from Commissioner Sullivan through the years I have been a politician, and I can truthfully say I never had one done, but regardless of that, he still does a good job, and that is what counts, and I think the taxpayers as a whole think he is doing a good job and is trying to do a good job. I say, even if he is doing a dishonest job, it certainly should not be the job of the City Council to decide whether he is to be removed as Commissioner of Police. I think that is solely up to the Governor. As we know, the Governor to do that will have to show cause to remove him, and you can rest assured if he had cause he would present them to the Governor's Council. Certainly, the Republican Party can

stand the patronage and put one of their own in there. I sincerely hope this order is not passed, and I will have to ask for a roll call on it. I am going on record as opposing it if the Boston City Council insists on passing it.

Coun. BAYLEY—I agree thoroughly with everything the distinguished councilor from Ward 7 has said. He brings out very clearly that Commissioner Moriarty's term had expired, and Commissioner Sullivan's term is still going on. Even though Commissioner Sullivan is a Democrat and I am of the opposite party, I have the highest regard for him. I think it would be poor judgment on our part at this time to ask the Governor why he does not remove him. That is the Governor's business. The members of the City Council have a job to do here in Boston, but we are not up here to ask reasons for his actions. I understand a Legislative Committee is studying the problem of recommending that there be nine instead of twenty-two councilors. At least, Boston will have a chance to vote on that, and if we continue to have orders of that stature, I think I know how the people will vote. Let us have intelligent orders up here and not try to infringe on the jurisdiction of other bodies.

Coun. MUCHNICK—While I agree with what Councilor Linehan has said, it seems to me the proper place for this order is to send it to the Committee on Rules. At this time I move it go to that committee.

President KELLY—Councilor Muchnick moves that this order be referred to the Committee on Rules.

Coun. COFFEY—Mr. President, the order is a simple one. It is not calling for Commissioner Sullivan's removal. I should file an order asking for his removal but as long as the Council here thinks so much of Commissioner Sullivan I suppose I might as well get on and tell why he should be removed. To begin with, Governor Bradford made the statement he removed Moriarty for one reason, and one reason only, that the man was over seventy years of age.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick,—for what purpose does the councilor rise?

Coun. MUCHNICK—A point of order.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—It seems to me that the motion is whether this should be referred to Rules and not whether Commissioner Sullivan should be removed.

President KELLY—I think his talk is in order. We have admitted remarks on Commissioner Moriarty from one of the other councilors. I think he is leading up to that motion.

Coun. COFFEY—Going back to what I have to say, I should introduce an order asking for his removal because in my opinion the gentleman is incompetent. I made the statement a few weeks ago he is taking orders from somebody, whoever that somebody is. He has been taking orders from the racketeers and bookies of Boston. The proof is easy enough to find out. There are bookies operating all over the City of Boston, and I don't have to tell you fellows that, you know it. You know there are horse rooms operating all over the city. They are in the South Boston ward the same as in my ward, and Commissioner Sullivan knows that. If he is honest, if he is competent, if he is sincere in his job, why doesn't he clean up the bookies? It would be easy enough to do. It is very easy to do. You can't say now the department is undermanned because it is not undermanned. The bookies are operating, and why don't they stop them from operating? Why do I have to have a police captain tell me, "Sure, I have done a good job in the first year and averaged four arrests a week; nevertheless, in the last few months I have made one arrest a month because I got orders from the Police Commissioner to lay off." One of the fellows who doubted me happened to talk to a business man in my town, and he was amazed to find out the business man said, "Coffey was absolutely right." Conditions were such as I told on the floor of this Council here.

The captain over there is not doing a good job because he is not allowed to do a good job though maybe he wants to. I don't say he is taking graft, and I don't say Sullivan is taking graft, but I do say this. I have not had a report from his Honor the Mayor yet. I don't know whether he has had a conference with Commissioner Sullivan within the past two weeks or not, but I have not heard anything from either his Honor the Mayor

or the commissioner. Last week my order asked the Mayor to ask Sullivan to make a report to the City Council as to the rackets and bookies and the conditions in Boston. I have not heard anything from my order as yet. I do know one thing, since a week ago today, since I introduced my order, not one bookie has been arrested in East Boston, and they are operating in every section of the town, house to house, stores, barber shops, tailor shops, pool rooms, and liquor stores, and everybody in the town knows they are still operating. As far as the councilor from South Boston (Councilor Linehan) is concerned, he worked with Commissioner Sullivan. I don't know what friendship he has for him and if he wants to defend him, that is his business.

Coun. LINEHAN—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. LINEHAN—Will the councilor yield for a second?

President KELLY—Will you yield to Councilor Linehan?

Coun. COFFEY—I will not yield.

Coun. LINEHAN—You made a misstatement.

Coun. COFFEY—If he did not work for Commissioner Sullivan, I apologize. I know he worked with the Transit Department for awhile. I know you worked with the Transit Department, and I thought he was commissioner while you worked there. It is an honest mistake. I know you worked there, and he was commissioner at one time. If the gentleman wants to defend him, that is his right. I will never argue with anybody who wants to defend anybody up here. I am saying my point of view, and nobody is going to change it. If any of us could be changed, then I don't think we should be up here or we should not stay for any length of time. As for the gentleman from the Back Bay, I have to laugh. He does not know what is going on in Boston, never has known what is going on in Boston, and never will know what is going on in Boston. He is doing an honest job, he is a fine man, and he talks about a nine-man Council and he talks about how he wants some intelligent orders brought up here. Coming from him, I have to laugh. Intelligent orders! If there is anybody who can't correct me in this Body, it is the gentleman from Ward 5. I have listened to others, and I have learned from this Body. I have learned by keeping my eyes and my ears open and listening to others who have experience, but I never learned anything from the gentleman from Ward 5. We were talking on a million-dollar appropriation one day and fighting tooth and nail on it. All he was doing was bringing the World Series results and disrupting the meeting, and he talks about bringing in intelligent orders! I am not asking for Commissioner Sullivan's removal, and I am not asking you gentlemen to vote for his removal and I am willing this order go to the Committee on Rules. The order merely requests information from Governor Bradford, and I think as an office holder I have a right to introduce that order and ask whether Governor Bradford intends to remove him or not. This order is a request of the Mayor to request the information from Governor Bradford as to whether he is going to remove Commissioner Sullivan because he is over seventy years of age. The only reason I read in the newspaper that Governor Bradford removed Commissioner Moriarty was the fact that the man was over seventy years of age. It did not matter whether his term expired or not. When Mayor Curley was Governor, it was he who introduced a bill in the Legislature asking that all judges be removed after they reached the age of seventy, and I agree with him. If you are going to try to make room for the World War veterans or the young fellows, why let a man stay on the city or the county or the state who has a good job and has a good income and can go out on a darned good pension, and as a result of the removal have somebody else take his place? I am not forgetting, however, that I introduced an order in this Body asking all city employees be removed from office after they have worked in a department twenty years to make room for others. It is not bad to go on half pay or two thirds pay pension. I ask that the order go to the Committee on Rules.

Coun. LINEHAN—Mr. President, it seems to me we might have orders of this nature appear before us every week, and that is one reason why I am getting up here today to try at least to have it acted on today whereas we might have it a week from now or two weeks from now. Probably we

ought to vote on this matter one way or the other today. Talking about retiring men in public service at seventy years of age, his Honor, James M. Curley, would be among those who would be retired, and I suppose it would be kind of asinine to ask the Mayor who is seventy-one or seventy-two years of age to ask the Governor who is probably around forty-two as to whether or not he is going to remove Commissioner Sullivan because he has reached the old age of seventy. Probably the commissioner is not as old as the councilor from East Boston thinks he is. I think we all agree the Mayor, whether we like him or not, still has his faculties. He has a lot of ability and can do a good job for the city if he so chooses, and I feel as one councilor against him occasionally in this Council, that if he saw fit at seventy-two, he could be one of the outstanding men in the government of this nation if he so chose. I think Mr. Sullivan at the age of seventy or seventy-one or seventy-two, whatever he may be, is doing a good job and has done a good job in the public service all through the years. If he had not, you can rest assured he never would have been re-appointed by mayor after mayor through the years for one job or the other. It seems to me that is the test, the man to hold these jobs through the years must have done a good job or somebody would have passed him by along the trail. In the case of Commissioner Sullivan, it includes many mayors, it includes Curley himself with three or four terms as Mayor of Boston. It includes Mansfield, Kerrigan, and any other mayor who has held office during the tenure of office of Commissioner Sullivan in the various administrative positions which he has held. It seems to me if he could hold office as long as he has in high positions in the city service, at least his background up to now has been that of integrity and honesty and a job well done. I sincerely hope the Council will go along with regard to it and kill the order because if we want Commissioner Sullivan removed and all the others over seventy, that will also include the gentleman who now sits in the chair downstairs on the second floor, and I feel sure the Mayor wants to continue. He has already said, as a matter of fact, he hopes to continue and probably will even run for re-election. If he is going to run for re-election, he will wind up at seventy-six or seventy-eight years of age at the time he finishes his next term if he is elected. Let us not talk of retirement at seventy. I think the gentleman from East Boston and myself probably at the age of seventy will not be all done, but we would like to continue in public service if we can stomach it that long. I say, good luck to men like Commissioner Sullivan who take the insults and attacks from time to time during the course of their tenure of office. God knows how long they can take it like we do in the City Council. It is quite a burden for us in public office and those holding administrative positions to take lickings not only from the taxpayers but the men in public office themselves.

President KELLY—The question comes on referring this matter to the Committee on Rules.

Coun. COFFEY—Mr. President, the argument the councilor gave is a very poor argument, that Commissioner Sullivan has been appointed to position after position. We know that all you have to do is have the right connections. Maybe make the right contribution. They usually do. If there are three candidates, they take care of the three and can't possibly lose. We support one, and if we pick the winner, we get double crossed and get nothing. If we pick the loser, we are usually better off. All I want to say is the argument is a poor argument. Commissioner Sullivan holds an appointive office. Mayor Curley is seventy-two years of age, we know that, but he has been elected to office and we have nothing to say about his removal, but when a man holds an appointive office, we can say something about his removal. It would be silly and asinine for me to ask the Mayor to remove himself from office because he is elected by the majority of the people and in this last fight, it was a real majority that elected him, he got more votes than all his opponents combined. What you want to do is up to you fellows. I don't care if it is defeated and I am the only one to vote for it, because I will be back next week with other orders—I have more today. I am not saying Commissioner Sullivan is corrupt, I just said he is taking orders from somebody, and he is passing those orders along, and whether he has done that to the police captains in your wards

I don't know, but he has done it to the police captain in my ward, and I don't like it. I want the town cleaned up and he has done not one damned thing to clean it up. Last week in my talk I asked that Superintendent Sheehan be put in Captain Britt's place. I have not heard anything with regard to Superintendent Sheehan. He is supposed to be the racket buster. I have a letter signed for a change saying one officer on the vice squad in South Boston has a brother in the numbers racket over there. I do care what happens in my ward. Getting back to this order, this order is simply a request asking Mayor Curley to request information from Governor Bradford as to whether he is going to remove Commissioner Sullivan because he is over seventy years of age. The reason I introduced it was that Governor Bradford made the statement he removed Commissioner Moriarty because he was too old.

Coun. LINEHAN—Mr. President, I want to ask the councilor from East Boston whether or not he does not think he could get the same type of information by writing a personal letter to Governor Bradford rather than putting it in the Minutes of the City Council.

Coun. COFFEY—I don't feel I have to write to anybody. I have a right to introduce the order.

President KELLY—The question comes on referring the order to the Committee on Rules. All those in favor say aye, those opposed no. It is ordered, and the order is referred to the Committee on Rules.

The order was referred to the Committee on Rules.

REQUESTED REMOVAL OF CITY EMPLOYEES OVER SEVENTY.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor remove all city employees from the city pay roll who are over seventy years of age to make room for World War II veterans.

Coun. MUCHNICK—I move that it be sent to the Executive Committee with the request that the Law Department inform us as to whether that can be done under the law.

President KELLY—The Chair will rule, councilor, all employees seventy years of age have to get off the pay roll unless they are department heads.

Coun. MUCHNICK—I did not quite get that.

President KELLY—The Chair will rule all city employees who have reached the age of seventy have to retire unless they are department heads.

Coun. MUCHNICK—If that is the law and, frankly, I don't know that it is, but I am perfectly willing to take your word and the City Clerk's word for it, all I wanted to do was to have the Law Department give us an official ruling.

President KELLY—I just got a ruling from the City Clerk. If you would rather have it from the Law Department —

Coun. MUCHNICK—I said your word and the word of the City Clerk is good enough for me.

President KELLY—You have no objection to the order? Councilor Coffey asks for the suspension of the rules.

Coun. LANE—Mr. President, I would like to have unanimous consent to make a statement.

President KELLY—Are you talking on the order?

Coun. LANE—The order has been referred to the Rules Committee, has it?

President KELLY—Not yet.

Coun. LANE—Talking on the order. I have listened to the alert gentleman from Ward 1 (Councilor Coffey) speaking on the order he just introduced about men in public service over seventy years of age. I, too, feel in some cases possibly men over seventy years old have in the main outlived their usefulness. In the particular case, however, of our present Police Commissioner of the city, Colonel Thomas Sullivan, I am familiar with the fact that the man certainly has an alert mind, he is an unusually capable individual, and I feel, despite the fact of his age, his advanced age, that he is still a qualified man to continue in public office. It has been stated here, I believe, that the man is over seventy years of age. Is that right, Mr. President? However, Colonel Thomas Sullivan of the Boston Police Department is now sixty-eight years old. He was born on February 25, 1878, and on February 25 of the calendar year

in which we are now he will be sixty-nine years of age, and, if you wish further verification of his age, his birth certificate is on file in the Gate of Heaven Church, South Boston. Thank you.

Coun. COFFEY—Mr. President, I learn something every day. I said about 20 minutes ago that I am willing to learn. It looks as though the gentleman from Ward 21 went out of his way to get this information. I have been told by cops and sergeants that the man is seventy-one years old. Let us go back a few years, because I don't know whether that record is right or not. Many a time I have gone down to the Welfare Department and had to get statements from old-timers there before I could get a person old age, because they could not get their birth record, or because their birth records were wrong, or because they did not have a first name. I think that is common, and I think you fellows have gone through the same thing I have. Whether this is true or not is another story. If I am not mistaken, he was in the Spanish American War and, if he was, that was some 48 or 49 years ago. I did not say he is incompetent, I did not say he is not qualified. I said he has taken orders from somebody. There is in the district which Councilor Lane represents a Captain Donovan who is as crooked as a cow's horn. I made statements on the police station doorsteps and the courthouse doorsteps in Central square, and I made speeches in other public halls in East Boston telling people what Captain Donovan was, and how he got his appointment, and what he paid for it, and why he got it. You can ask anybody in East Boston, and they will remember it, and now he is out in Brighton and is doing as tough a job there as in East Boston. If you don't believe me, pick up the papers every day in the week and see what happens in Allston. I may add in closing, Mr. President, that I will check this information and, if it is correct, I will come back when he is seventy years old and ask for his removal.

The order was passed under suspension of the rules.

ELECTION OF JUDGES.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor be requested to order the Law Department to file legislation for the election of judges.

Coun. COFFEY—Mr. President, the reason I introduce this order is very simple. I read here in yesterday's Boston *Sunday Globe*: "New 9-Man Council Urged by Adlow in Boston Crisis." I didn't know we had a crisis in Boston, to begin with, and Boston like every other city in the entire country has a high tax rate for the simple reason that the cost of everything is so high. Tax abatements have been given by the Tax Appellate Board and have been given by our own Tax Commission right here in Boston, and a lot of abatements are given to widows and others in need, and the high cost of everything has, naturally, brought up the tax rate not only in Boston but in every section of the country. Mr. Willis saw fit to ask for Plan E in Boston. At my request last year one of the councilors who is now a Senator looked up the tax rate in Saugus and he found out they had a larger tax rate in Saugus than in Boston.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick. For what purpose does the gentleman rise?

Coun. MUCHNICK—I would like a point of order.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—It seems to me the tax rate in Saugus is not the subject matter of the present order.

Coun. COFFEY—I am through with the tax rate. Mr. President, yesterday's paper said Judge Adlow sent a 14-page report or communication to the members of the Legislature. He wants the abolishment of the present City Council of twenty-two and substitution of a body of nine whose members have been winners of nominations in an elimination primary. That was declared yesterday by Judge Adlow of the Municipal Court as the remedy or the quickest way out of the Boston municipal crisis. Well, Judge Adlow wants nine men elected who have been nominated. He says nothing here about a run-off primary or nomination for the Mayor of Boston. That is out, he does not want that, just the nine members nominated, and then have them run for the election. Nothing about the Mayor. That is out entirely.

"This was the basic recommendation of Judge Adlow's 14-page communication to the legislative commission studying the Boston charter. The commission, headed by Senator Charles J. Innes, had solicited such proposals from anyone interested in finding solutions for present administrative shortcomings . . ."

That is a laugh, that anybody up on Beacon Hill says there are any shortcomings in the City of Boston, and he ought to look at what is happening on Beacon Hill.

. . . all to be given due consideration before the commission reports to the Legislature March 15.

"After outlining the election processes which for years have produced the 'bedlam' which attends Council sessions, Judge Adlow writes . . . "I have to comment on that "bedlam" which attends Council sessions. I have to admire the gang down here for one thing: we fight everything out until we are all in, until two or three o'clock in the morning if necessary, but up in the Legislature the leader gets the word, the whip gets the word, and, boy, how they put the pressure on it. The thing goes through, and if you are of their party and you do not stick with them they tell you directly you will never be re-elected, we will see to that, we will go out of our way to defeat you. They have done it to a good old friend of mine, Bill Baldwin, who has passed on. He was in the House 12 consecutive years, and he didn't see fit to go along with the Republicans on a bill, and they told him they would defeat him, and they did defeat him in the following election. Down here we have fights. Of course we have fights. That is the best way to get the best legislation, to fight it out until you get what you want. Wouldn't this be a swell Body if Councilor Madden and Councilor Coffey were appointed by Councilor Kelly to take this side, and the other councilor from Brighton and someone else to take the other side and to pass the word around that this has got to go through. This has to go through, this has to be killed, or that has to be killed. There would be nobody out of line, and everybody gets his orders and they follow their orders. I am going to come to the point about what I am trying to bring out about my good friend Judge Adlow. He said:

"It is unnecessary to note that men who are willing to hold office under these conditions cannot represent a high type of citizenship."

Who the hell does Judge Adlow think he is? Gee! His daily associates are with bookies and lawyers who are so crooked we would not have them in East Boston even, and that is saying something. Every day in the week he associates with them, he has to, that is his job. He says hello to them when he goes in the courtroom and about ten minutes later he is interviewing that same bookie. I will get to that in a minute. He says the only ones who would run for office are those in the "few wards having strong organizations; the campaigns for office are fiercely contested. Partisanship is intense, strife bitter, and violence commonplace."

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick. For what purpose does the gentleman rise?

Coun. MUCHNICK—I am still at a loss to see what this has to do with the election of judges.

President KELLY—Let me see the order. Judge Adlow made the statement; it is in there. He is quoting what Judge Adlow said.

Coun. MUCHNICK—Mr. President, would you advise me just how Judge Adlow's statement in the newspaper has to do with the election of judges? What have his comments on this subject or any other subject to do with this?

Coun. COFFEY—That is a point of information, and I yield for no point of information.

President KELLY—The Chair will rule it feels Councilor Coffey is going to prove Judge Adlow's statements in yesterday's paper are ill advised. He is leading up to the order.

Coun. MUCHNICK—A point of order, Mr. President.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—This order, as I read it, applies to the election of all judges, not merely municipal court judges or a judge to fill Judge Adlow's place. It seems to me this is properly a subject for the Rules Committee. It is not something closely identified with the running of the City of Boston.

President KELLY—This is a request to his Honor the Mayor. The Chair will rule it is in order.

Coun. COFFEY—Mr. President, he says: "Partisanship is intense, strife bitter, and violence commonplace." I have not had any fights over there in the past ten years. None of the followers have had any fights. I don't think there have been any fights in any of your wards other than tongue lashings which are commonplace and which he likes to give out from the bench time and time again, knowing he is going to get a write-up. "Out of the resultant confusion emerges our city government—and the shameful spectacles of our street corners are transferred to the Council Chamber in City Hall, there to provide a continuous performance for the edification of the partisans and the disgust of decent citizens." I wonder if he means the bookies. Because I think out of a 24-hour period he gives five hours on the bench, and out of that five hours he associates more with bookies than anybody. They are facing him every day in the week, and the bookies' lawyers, as I said previously, and the fellows say, "Good morning, Judge," before he puts on his robe, and a few minutes later he is before him representing bookies before the famous Judge Adlow. I will skip some here, and the reformist charter makers of 1909, and he goes on to say, "Without leadership, people drift like a rudderless ship. There is nothing to give the masses direction." Only Judge Adlow. "If Boston of the pre-charter era had a Lomasney, a Curley, a Donovan, an Innes"—you notice he got Innes in there because it is in his bill—"or a Curtis, it could be said it had in them men who could stimulate public interest in issues and rally formidable groups to the standards of men and causes. Equally important was the part these men played in keeping in their proper places the henchmen and hangers-on who, for better or worse, have always been an element to be reckoned with in our democratic society." He goes on to say: "Politicians overrun city. Every candidate for office must now build his own machine, raise his own funds, organize his own army of understrappers and henchmen. Instead of a few bosses the city is overrun with candidates, campaign managers, campaign treasurers, and many others who represent the impedimenta of political machines." Well, I have not had any contributions. I think you fellows will have to agree with me you don't get a hell of a lot of contributions from anybody, either. They did not give us contributions. The political machines we have, the henchmen we have, the treasurers we have, what does he mean? It is the men and women of Boston who are willing to support us. There are very few people who support you that bother you for anything. They don't have to. A lot of them have plenty of ability to get the things they want themselves. The only ones who bother us, as Judge Adlow correctly states, are city employees who want to advance themselves or get more money or better positions. "The men who have succeeded the 'bosses' have all of their faults and none of their virtues." That is a break for us. "Boston's immediate problem is to be emancipated from them, and a proper charter can do it. Objectively, Boston's plight is revealed in its financial predicament. Doubtless corruption has contributed to this condition, but other conditions share a major portion of the responsibility. If corruption in its literal and legal sense were the sole blemish on the city, a few indictments procured by the District Attorney could do more for the cause of good government than any charter changes. The real evil derives from the system that has annexed itself as a superstructure to the city government, a system calculated to support the horde of henchmen and followers of the galaxy of politicians and petty bosses who today represent the only semblance of organized political strength in a city rendered helpless by nonpartisanship." I can skip most of this, and get down to the part I really want to talk about. He says: "As for the incumbents"—that is us—"a word may be said for them." That is pretty kind of him in a nine-column attack. "Most of these men embark on their political careers with the loftiest aspirations. But the system eventually overwhelms them. Beset by favor seekers they are reduced to the condition of errand boys. They are servants of the people in its literal and mental sense. Some quit in disgust. Others hold on, hoping that some favorable turn in politics will provide a happy means of escape to a better field of service." Well, I want to say this about Judge Adlow, and there is nobody here who can contradict me because there were only three men in the room

when Judge Adlow went in and sought a favor. He sought office, if I remember rightly, and in 1930 I happened to be in the wrong room in the State House. I was in the Legislature at the time, and there were two other men who came in that room, one by one door and one by another door. I never knew who Adlow was, but Governor Allen was one of the men and the other was Mr. Adlow. He sought a favor, he sought a judgeship, and he got it from Governor Allen. I don't know what his party is, and I don't care what his party is, but I happened to be in that room that day and I know that he who talks about our doing favors in turn was seeking a favor, and got that favor, and as Judge Mahoney well stated, "What is a judge but a lawyer who knew a Governor?" Judge Mahoney could have added to that and said, "What is a judge but a lawyer who made a contribution to a Governor?" I get a kick out of Judge Adlow. He wants a nine-man Council. I have said here before that I don't care whether there is a nine-man Council or a twenty-two-man Council, and I don't care whether this is my last year in office or not, but I am not going to sit by and have Judge Adlow or anybody else make an attack on me as one of the members of the 22 councilors and say conditions are this and conditions are that, when all the man has to do is look around him. I went up there with a fellow they framed as a bookie to protect Superintendent Sheehan's cousin, and I made a scene in that courtroom and Judge Adlow was going to throw me behind the bars for contempt of court because I made that scene, but I told him that man was innocent—they were framing him. Then when we went to a higher court—we took an appeal from Judge Adlow's \$25 fine—the gentleman they found guilty was Sheehan's cousin who came up and testified. He testified for them and said, "Of course, he is not a bookie. He works in the kitchen in the Boston City Hospital. I was the bookie." He was found guilty in a lower court. I asked him when he was going to the kitchen to take the slips in, and the other fellow testified, and the jury went out and came back in three minutes with a "Not Guilty" verdict. So I say that Judge Adlow can look to home. His argument is that he wants a nine-man Council because "broader constituencies cannot help but produce broader men." I suppose he means a city-wide fight would produce more intelligent men. That is right, but who would control the nine-man Council? Is there any one of us who can afford a city-wide fight? I can't. I probably could get by with six or seven small front page ads in the Boston Post, but I would not be able to send a circular out because if I had that money to circularize all over the entire City of Boston, to hell with it, I would quit politics and keep the money. The only ones elected would be those who can get the contractors to back them, and the city would be controlled by five men. As it is, at least we are always squabbling, and that shows we cannot get along, and that is a good sign in my opinion. I have squabbled up here for years and I will squabble again before I leave here this year. It might be today or it might be next Monday, but I am going to squabble before the year is over, and I am going to holler louder than anybody else has hollered out here.

Coun. BAYLEY—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. BAYLEY—A point of order.

President KELLY—Will you state your point of order?

Coun. BAYLEY—I don't see what this has to do with the appointment of judges, whether we squabble up here or not. It is taking a long, devious way to lead to the question.

Coun. COFFEY—I will not walk out.

President KELLY—Councilor Coffey.

Coun. COFFEY—You absent yourself and go home and bury yourself.

President KELLY—Councilor Coffey.

Coun. COFFEY—A nine-man body would be a wonderful body for the city. I probably won't be up here so those who do serve will be probably much better off without me. I will say this, that what Mr. Adlow is looking forward to is to get in right with those on Beacon Hill at the present time so that he can get one more favor. He has his judgeship now, but I suppose he wants to be moved a rank higher, so that he can get a \$3,000 or \$4,000 increase. I can't see what other reason Judge Adlow has for writing a 14-page communication to the papers. They

are not in favor of Plan E, they are in favor of a nine-man Council. You get a nine-man Council and the Mayor is a figurehead, and the manager whoever he will be will be a Republican and he will be a figurehead. Your nine men will run the city of Boston and out of those nine men you can rest assured the wealthiest contractors in the City of Boston will have at least five of those nine men, and you can rest assured you will have real professional politicians running for the City Council if it is going to be a nine-man body because one out of five is going to be a big fellow in the years ahead. They will get what they want. Naturally, they will get what they want. They have the money to get what they want, and they have the backing to get what they want. They will put it through this Republican-controlled Legislature and they will put it on the ballot just like Judge Adlow said. We were repudiated at the polls by 128,000 to 56,000. He did not say anything about the Legislature raising their own pay, and he did not say the Legislature did not put it on the ballot as to whether they were to receive a salary increase or not. How would they have been defeated? They would have been murdered, they would not have got the vote we got. The votes we got were personal friends who thought we were doing a good enough job to give us a decent salary and by giving us a decent salary they thought they would make better councilors of us. Give the Police Department \$60 a week which is enough to live on, and if they do anything crooked, don't give them a trial, just fire them. The Legislature took the salary, they did not put it on the ballot. If they had, Judge Adlow might have another story here today about how badly the Legislature was defeated when they sought a salary increase on a referendum. I dare say they would have been defeated ten to one or better. In the future if Judge Adlow or any other judge wants to make an attack on the Council, it is all right with me, I will get up and answer it, but he does not have to go any further than his own courtroom to find out what is going on in the city. Bookie after bookie come in and pay a \$25 fine. Fine them \$200 or \$500 every time they come in, and see how quickly they will go out of business, but when they can reach an attorney who knows the judge and they can get a \$25 fine, they can make that within the next hour.

Coun. MUCHNICK—Mr. President.

Coun. COOK—Mr. President.

Coun. RUSSO—Mr. President.

President KELLY—Councilor Cook.

Coun. COOK—Mr. President, sticking to the order, if there is anybody in this Council who has a reason for offering an order like that, I think I would be the one. But the cure for judges or any part of government that does not do its governmental function in the best manner is not by the election of judges. We would be subject to all the ills we are accused of in a body such as ours—and what ills we are accused of in a great many instances are true—but the cause of those ills is not the number of councilors. It is the power that has been given to this Body. Any body that has a purely negative power such as we have, which is merely to say "No" to a budget or to cut, with no power to override a Mayor, when we in our wisdom as 22 councilors coming from all sections of the city see fit to put something positive through, then the Body must of necessity make speeches in most cases to no avail. I don't think this Body is as bad as Judge Adlow has painted it. I think he ought to write another article talking about the powers the nine-man Council should have, and I think he will agree with me any Council should have more power than we have today. I agree with him in many of the things he said, and I disagree likewise with many other things, but getting to the election of judges, it would throw that part of the government which should be of the highest type which lawyers enjoy, the highest confidence of the public, into a political contest, and I don't think any political contest, whether it be city-wide, Mr. President,—could I have a little order, please?

President KELLY—Councilor Cook.

Coun. COOK—Any body which should enjoy such respect should not be open to political contests. We all know that political contests—no matter who the contestants are and what the district is—will lead to many statements which may not be openly vicious but by innuendo cast reflections on the character of the men in office and thus put them on guard when they succeed

to an office that, whatever they do, there will always be somebody to impugn their motives. Let us show the judiciary and the Legislature, which in many instances has not been of the highest type, that the City Council will not offer to them a remedy which is worse than the existing situation. If there is anything wrong with the judiciary, there is only one place to look at, and that is the men who put them in power. If there is any system, it might be of an outside body composed of legal talent and laymen who would pass upon appointments besides the Executive Council, we then might arrive at better judges. We also might arrive at better judges if in the lower courts they were not allowed to practice law, if they were on a full-time job with a salary commensurate with their positions. Those are the remedies for the evils that exist in the judiciary. I don't think it is an evil when a judge goes on record as giving his views as to whether there should be any change in any form of government. If he uses words which may be ill-advised, then we can answer him, but we should not try to cure the situation by such a recommendation as has been brought by the councilor from Ward 1.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Mr. President, I don't know Judge Adlow. In all the years I have heard him spoken of, I have always heard the very best about him, and that by the most friendless element in the city—the day-to-day continually unfortunate drunkard who goes before him for the crime of drunkenness. Years ago I first heard Judge Adlow's name in connection with a very generous and humanitarian treatment of those people, and I developed a fondness *in absentia* for him, not knowing the gentleman, which carried with me up to yesterday when I read his opinion in the Boston newspapers. I would say he is guilty of the worst piece of intellectual dishonesty I have had the misfortune to read in a long time. It might be well said of Judge Adlow that he is a creation of the system he now condemns and a system which was described by Councilor Coffey in Councilor Coffey's own unique manner of description. I heartily agree with very much of what Councilor Coffey said although perhaps I might have phrased myself a little differently, but basically, Mr. President, I don't know what is disgraceful or shameful about doing favors. I don't know by what process the poor, down-trodden people of this or any other city are going to get even the slightest of their rights unless they can turn to us who are disposed to remember how well they supported us in seeking an office of the type we hold today. I am mindful of the fact that no one in Charlestown came to me and asked me to run for public office; no one ever said I was a worthy savior of the community. My entrance into politics was purely voluntary, entirely on my own volition, and I represented myself to them as one worthy of whatever support they could give me and, I would pay them by grateful and sincere personal service to them. If I made mistakes in the Boston City Council, I have not made mistakes that another officeholder in his time has not made. As to the critics of the system, that is the only one by which the poor and needy can be brought into the focus of public attention. I wonder if the supporters of the Governor who appointed Adlow were all hand picked by that Governor when he was a candidate for the governorship? In other words, did the Governor who appointed Mr. Adlow deal with the ward heelers we are supposed to be? Did he deal with the henchmen of these ward heelers, or did he have the moral stomach to say that type of person need not vote for him, that he did not want their support. You have had first families in this state long enough, those who go back to Plymouth Rock and the Mayflower, the type of which it was said, last fall, that Maurice Tobin had only a public record and that Mr. Bradford had a record of family and tradition; but Bradford took the vote of Charlestown and of East Boston and the rest of the slum districts in Boston, and so did Governor Fuller, who appointed Adlow. Does anybody care to challenge that point? Since they contributed to putting that gentleman into a position from which he could appoint Adlow, Adlow ought to be on his knees night and day thanking the riffraff, so to speak, because there are more of the riffraff than there are the top drawer. He is secure now, and has been for some years and will be for many to come, I hope, but we should bear in mind that next year, 1948, when the present

State Legislature, Republican Party Legislature, is running for re-election, those men will take support from whom and to whatever extent they can get it for them in Charlestown, and today they term me riffraff. They term Coffey riffraff and Hannon and Lincham and anyone else who does not have a tradition of family; who can only show as reason for being here so many years that they served their own kind well. And as for the responsibility of the condition of Boston today, a very close and very exhaustive and very scrupulous examination of accounts of the City of Boston over the years will show that many members of the Massachusetts Legislature, past or current, have made money on the City of Boston. When John Kerrigan's bill was pending in the Massachusetts Legislature two years ago, I had one of the most substantial members of that body, a House Chairman, ask me how well I knew Kerrigan, that he wanted an appointment with him for the purpose of getting some city bonding business, and that he could do Kerrigan a lot of good when the bill was reported back into the House. Good government! Is that how you achieve good government? I come in here every day regularly at ten o'clock, and I sit here as long as the personal services I have to render keep me here, and there is many a time I open my mail and I find a five-cent thank-you card from some old man or some old woman for the old age assistance which I had something to do with accelerating. I have been asked in this city to contribute my vote to some of the cheapest, trickiest, and dirtiest propositions that have ever been advocated by cheap, low-type, but very successful and substantial solid citizens. And the only requests I get in my district from what Adlow calls the partisans and henchmen and, in effect, the riffraff are that they want jobs. No danger of going to jail for getting somebody a job, but if you fall into the plans that have been enunciated to me, and undoubtedly to some others of you, you will be left holding the bag. They will be in the clear to pursue their hypocritical way, corrupting those of us who are known to be broke and to whom the sight of a few dollars is supposed to be sufficiently strong to break down the scruples we learned from the finest people in the world, our own poor fathers and mothers, who put us into the position of where and what we are today. We did not inherit these things because we belonged to a certain financial or social caste in our districts. We don't have but one or two of those districts in Boston, so that when you get them you have to fight for them, and we come up here and we are naturally disposed to fight, and I don't say always intelligently. Sometimes we are a little too personally vengeful, but I don't think that there could be a question as to sound morality successfully leveled at any one of us. He decries the doing of favors, says that we are errand boys. How conveniently they will do favors when election year rolls around.

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. MUCHNICK—A point of order.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—I have been as interested as anybody else in the past few minutes in listening to a remarkably fine oration, but I should like to know what it has to do with the election of judges.

Coun. COFFEY—What is he talking about?

President KELLY—He is raising a point of order.

Coun. COFFEY—He did not ask for a point of order. He started in to make a speech.

Coun. MUCHNICK—I thought I had asked for a point of order, and I think the record will so indicate.

President KELLY—Will you state your point of order, Councilor Muchnick?

Coun. MUCHNICK—I would like to know what this has to do with the election of judges, everything that has gone on in the last five or six minutes.

President KELLY—The Chair will rule the councilor is a little afield, but I think he is leading up to his point. Councilor Kinsella.

Coun. KINSELLA—I don't know whether or not I agree with the nine-man theory, Mr. President. I have in mind that the voting strength of some of our Boston wards is much larger than our other cities in the Commonwealth, and yet those cities have, by virtue of their status, their own mayor and their own councilors, and why aren't the Boston wards entitled to one man to whom they can

come with a personal appeal? If I were on my deathbed, I could say this, knowing right well salvation or damnation depended upon it, no one in my district has come to me yet with a hush-hush proposition that was designed to corrupt me or to prove to me they were corrupt. What propositions that have come to me have come from the white-collar tribe in and around the State House that are respectable by virtue of their bank account and by no other means.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—It seems to me the order—

Coun. COFFEY—The councilor has not stated his point of order.

Coun. MUCHNICK—A point of order.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—It seems to me the virtue of any individual councilor or member of the Council Body as a whole is not the subject matter of the order, but the order is asking that judges be elected.

Coun. KINSELLA—Mr. President.

President KELLY—The Chair has ruled that the councilor has been afield. He will lead up to the matter of the order.

Coun. KINSELLA—It seems to me such a matter was introduced by Councilor Coffey. I am only enlarging on the statements which were allowed.

President KELLY—I am letting you enlarge on them with the realization that you finally lead up to the order.

Coun. KINSELLA—In spite of the interruptions, and in spite of the contrary interest which I received, I want to say as emphatically as I know how that it ill becomes Judge Adlow or anyone else now in a secure, permanent, lifetime position, a position of responsibility and trust, a position that must be looked upon as one of the most substantial and of consequence in the city, not only in his profession but as a citizen, to decry now the system that made him what he is today. If he has been selected out of a choice group as a gentleman of some ability to observe conditions, since he apparently lives in the county and he knows all about us, and has been asked to write about us, then half its good is gone. If it is purely voluntary from his distaste of the present conditions, then I would suggest that Judge Adlow retire and get away from it all, where he won't be victimized by the actions around here. I am a little sick and tired of people throwing mud at us all the time. The over-all, long-lasting integrity of the Boston City Council cannot be challenged by someone on the side line he profited from. There are plenty of faults at the top of the pile and at the bottom of the pile, but first let them clean their own houses before they give to themselves the right they do to make us what they are not. We will work out our own salvation, we will come along as we have been coming along for years, and each of us will make a little mark in the sand, and when we quit the mark is erased, and someone else comes along. We are groping toward the goal of perfection. It will be a long while before anyone now living sees a substantial approach to it, but it is my theory, if we are ever going to be perfect or nearly perfect in our public representations of our wards and those who put us in here, we must of necessity do as many personal favors as possible. All you men here are hard-headed, practical, cold-blooded, material-minded men and will be for the next few months, and yet you know, in spite of all you do for some people in your ward, most of the derelictions when the votes are counted will be from people for whom you have done the most. That is always the record. It applies to every one of us, and if we choose to live by that system of personal service, and I do—and I don't pride myself on being a parliamentarian or of having a commanding knowledge of the charter, but have it in the record in as black a type as you can put it—I want to be known when I am done as a fellow who still was welcome to live in the district and for whose defeat they will be sorry six months later. That is what I would like to see happen, and I don't think I am any more of a sentimentalist than anyone else here. I should much prefer to have them remember me as the type of fellow they could go to and get a straightforward answer and from whom they could get a favor or have someone else grant it for them. I want to live in peace and harmony with the

people in Charlestown. I don't want to have to move out when I am through with this office or any other office. That is my ambition. If it is the ambition of some to be parliamentarians, or to become a man in the financial affairs of Boston, more power to them. No one discourages the efforts he makes, but no judge or no commissioner can tie my hands when I want to do a personal favor in my ward, and bear in mind, gentlemen, always bear in mind, that there is not a one in the top bracket—take the old Yankee Governors, it was our kind of people who made them Governors. If you won't remember it, I don't blame them not to remember it. It is our kind that makes Governors, there are so damned many of us who have not got anything. We are in a position to give, and we give. Then we go back to the anonymity and obscurity from which we sprung before election day. But many of us are right. Someone said, "Too many of us have not got anything." While I am on my feet, I am going to make a mild criticism of one of the worst faults of our kind. We have too much of a proneness and disposition to look up to the guy that has money. We had evidence not so long ago of looking up to the guy who has dough, and abandoned to their fate the abler people who could not drum up dough. They stick together, did you ever notice that? Did you ever notice it? They count on us keeping at each other's throats—Coffey fighting with me, me fighting with Hannon, Madden fighting with Scammell. That is what they love, and they step in and by weight of numbers alone take from us what this city has, a voice in this Body. I can hardly blame them—they play the game right. They talk about recognizing the minority, for instance, when jobs are being passed out from now on; the Governor in the full flush of his victory talks about recognizing the minority. There is no greater minority than the ruling class in this city today, a handful, and many of them don't live in the city, along Tremont and Washington streets, but along State street. They don't live in the city, but they tell you who the next Mayor will be, and will tell you today, if you want to know. That is not the kind of man who can come into Ward 2 and tell them whom they will elect as councilor. Fortunately, they don't reach that far. I have had something to do with the Yankee type of candidate for Governor, and I have heard them say, "I am going to South Boston next Wednesday night. How will I act over there?" Patronize them. Patronize them. Be all things to all men. Their great great grandmother was born in Ireland in 1805. They go down to Joe Russo's ward, and Joe is suddenly stunned to realize that somebody whose ancestry is supposed to go back to Plymouth Rock, by some means, by some alchemy, was defrauded, and one of the great great grandmothers came from Spezia in Italy. All things to all men. The end result is that all the substantial minorities elect to office a representative of the only minority. Isn't it true? You bet your life it is. Just think it over. Let us stop being fools up here, let us show them we have sense and certainly we know how to use it. Let us do it in self-defense if for no other reason, and we won't be at the mercy of the Adlows. What newspaper in the city will take from the *City Record* or from the copious notes of the reporters anything that is said here in defense of our integrity, and to do personal favors and become errand boys if it pleases us? Let my last sentence in the record be, I am proud I am an errand boy for people who took me at my own estimate.

Coun. RUSSO—Speaking on the order, as to the intention of Judge Adlow and his remarks which have been printed in the daily newspapers, if that is his belief, I feel we ought to have election of judges with all due respect to all the rest of the men on the bench. I have had the fortune of being elected as councilor of my district close to eight years. Two months after I had taken the oath of office, when I found out what the powers of the Boston City Council were, with all due respect to Mayor Tobin and with all due respect to other mayors that have followed him year after year, I have submitted orders in the Council asking that the Legislature change our charter to give the Council the power they should have, and that is to have the veto power over the Mayor. We must realize, and I guess Judge Adlow realizes, that our form of government with all its faults has made us the most powerful nation in the world; at least, we can enjoy the privilege of freedom of speech which I am sorry to

say in most parts of the world is not enjoyed. When he says that by having a nine-man Council, it is better than a twenty-two man Council who are present here now, I fail to see any constructive criticism or any enlightenment to which his remarks were directed, to bring about the Plan E system of municipal government in the City of Boston. All that I have been able to hear is that nine men will be elected city-wide as councilors and that they will elect a mayor and that they will appoint a city manager. Still, I wonder if many of the people know in the City of Boston under the Plan E system of government, if they have a direct wish when they are voting for certain individuals—I am wondering if they know their vote that they are casting for their choice may be given to someone who is not of their choice. When he goes on to say there is favoritism, there is corruption, I wouldn't mind if it came from a man who did not hold any judicial position or who did not hold any prior political position. I am only wondering if that, Mr. President, is not the way of doing things, starting from our capitol in Washington and all the way down to every city in the United States.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick,—for what purpose does the gentleman rise?

Coun. MUCHNICK—A point of order.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—I don't wish to be boring, but I don't wish to be bored. Mr. President, we are going into Judge Adlow quite a bit, and we have not touched the subject of election of judges.

President KELLY—Will you lead up to that, councilor?

Coun. RUSSO—If I may at this time—

President KELLY—Wait a minute. I will inform the councilor such has been the subject matter. Councilor Russo.

Coun. RUSSO—I would like to inform the councilor who has the awful habit in the City Council that I am darned sick of his trying to interrupt individuals when they are talking. He wants to be heard when he is on a subject matter.

President KELLY—Councilor Russo.

Coun. RUSSO—I say, Mr. President, I am talking on the subject matter.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick,—for what purpose does the gentleman rise?

Coun. MUCHNICK—For several purposes.

President KELLY—Will you name one?

Coun. MUCHNICK—I don't particularly care—

President KELLY—For what purpose does the gentleman rise?

Coun. MUCHNICK—I doubt the presence of a quorum.

President KELLY—Councilor Muchnick doubts the presence of a quorum. The clerk will call the roll.

The clerk started calling the roll, with the following members responding "Here": Councilors Bayley, Bryan, Chase, Coffey, Cook, Hannon, Hurley, when Councilor Hurley said:

Mr. President, on what is the vote?

President KELLY—A quorum is being doubted by Councilor Muchnick.

The clerk continued calling the roll, and the following members responded "Here": Councilors Keenan, Kelly, Lane, Madden, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan.

President KELLY—A quorum is in attendance, and Councilor Russo will continue.

Coun. RUSSO—Mr. President, I believe that it is the duty of the Boston City Council when an attack is directed at the Council we ought as Councilor Kinsella well stated defend ourselves, even if it may be in self-defense. Does Judge Adlow mean that a person running on a city-wide ticket, by having broader constituency, will result in broader men being elected to the City Council? I wonder what he means by that remark. Does he mean that a poor individual has no right to run for any office even if he may desire, or does he mean it will be only a small few with money who could be elected to the City Council? Does he intend to insult my intelligence or the intelligence of the rest of my colleagues? Thank God I don't have to bow to anyone for all my actions in the Boston City Council for the past eight years. I have always been a type who was willing to learn, and I believe that none of us will ever stop from learning. I accept constructive criti-

cism and I will be very glad to. I wonder if Judge Adlow was not one of the individuals, if the information I have been given is correct, who was in favor of the twenty-two-man Council Body when we had the nine-man Council? I am only wondering, Mr. President, if that is true, that it will avoid corruption in our government. If there is any corruption, I wonder if we should not start from the head way down to the feet. I wonder if when Judge Adlow was appointed to the judgeship, he did not know the Governor at all, or did he know him, and if he did not know him, I wonder who introduced him to the Governor? I am also wondering if there were any political strings pulled. That is nice, Mr. President. That is what has made America great. You must know something and you must know someone. I wonder if Judge Adlow takes the attitude that if he is taken out of the judgeship there is no better man than he is who can take his place. Certainly there is, Mr. President. We have greater men in the United States than any man holding public office all over the nation who can fulfill those positions. True, we are errand boys, and I, for one, am glad I can be an errand boy for some of my constituents. You and I must realize we are, even if we start from in this building itself, or start in the State House itself, or in Washington itself. If we as councilors are given the runaround right here in the City Hall, isn't it fair to assume that the individual, the ordinary taxpayer who comes in to the building, is getting the double runaround, and how about the State House and how about Washington? Why, that is all over. So I say, Mr. President, the only thing the Boston City Council needs is power. If we are errand boys, it has been the State Legislature which has made this Body an errand boy. As I say, I for one am glad, regardless of the title, that I am able to do something for some one who is in need. With all due respect to his Honor the Mayor downstairs, if the Congress of the United States did not have the veto power over the President of the United States, then we would have a dictatorship here. If the State Legislature did not have the veto power over the Governor, you would have a dictatorship here in the State of Massachusetts, and in all the states throughout the United States. There is no question or doubt that we have a dictatorship here in the City of Boston, with all due respect to his Honor the Mayor. I believe that if the Legislature would give the City Council of Boston the veto power over his Honor the Mayor, we would be placed in more responsibility, each and every one serving in the Boston City Council.

Coun. CHASE—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. CHASE—May I have the order read?

President KELLY—The clerk will kindly read the order. (The order was read.)

Coun. CHASE—I wish he would confine his remarks to the order in question.

President KELLY—He started off on the order. Councilor Russo.

Coun. RUSSO—I will end up with the order, and I believe I have been talking on the order because it is a direct answer to Judge Adlow in so far as his opinion is concerned. He has seen fit to indulge himself in big headlines as "Adlow Blasts Hub Politicians," and I believe we are considered Hub politicians. I would like to ask Judge Adlow, too, if he were to run for office, if that would be his own attitude then. Mr. President, not to take up more time I maintain, and I have stated time and time again, unless the State Legislature sees fit to give to this Body the veto power over the Mayor, which will take us away from being a body of men who make suggestions to his Honor the Mayor—I know in my eight years in office many good suggestions have been brought up here by each and every one of us, but when it has hit the second floor downstairs, it has gone to the wastebasket. There is nothing we can do within the law to revive whatever ideas we had. Therefore, as I maintain and reiterate again, if we were given more responsibility upon the shoulders of each one of us, we would be responsible for our actions. It would not be as it is today when it lies directly on the second floor whether or not this or that should be done. If that is the intention, Mr. President, of Judge Adlow's opinions, and I have the greatest respect for the men on the bench, then I say it would be a good idea if we would have election of judges

and then we would not have any more of these individuals saying to us after they have acquired their position that they hate politicians.

Coun. MUCHNICK—Mr. President, there has been a lot of talk here about people who do know and who do not know Judge Adlow. There is talk about people who happen to be lawyers and various other things connected and not connected with this order. I would like it stated clearly in the record that there are roughly twenty-five or thirty years during which it has been my pleasure and privilege to know Judge Adlow and know him intimately. While I happen to be a lawyer, I do not appear in his court. I have not appeared in his court once in the last ten years. I do not intend to appear there because I stay out of that court as much as I can. I do not intend to appear there for the next ten years. To clear up any suspicions I do not represent bookies. My practice is confined almost completely to civil work. But I do happen to know Judge Adlow. I have never yet met a finer, more able fellow both as a public-spirited citizen and a member of the bar than Judge Adlow happens to be. I may be wrong—

Coun. COFFEY—Mr. President, a point of order. Is the gentleman leading up to the order?

Coun. MUCHNICK—Yes, Mr. President, and by a more direct route.

President KELLY—Thank you, councilor.

Coun. MUCHNICK—Judge Adlow may not be right in what he proposes in this particular article. But I would stake everything I have and that I ever hope to have on the fact that Judge Adlow is honest about his convictions. There is no question in my mind about his intellectual honesty either in the past or in the present.

Coun. RUSSO—Don't you feel, Mr. President, he has talked long enough to come to the point?

President KELLY—He said he is leading up to it quickly. I trust he will.

Coun. MUCHNICK—I will not lose the trend of it, either.

President KELLY—Thank you, councilor.

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

Coun. MUCHNICK—Yes.

Coun. COFFEY—Isn't it true, councilor, Judge Adlow was one of those advocating a twenty-two man Council instead of a nine-man Council?

Coun. MUCHNICK—It is my understanding he not only voted for the twenty-two man Council but was one of the leaders in the fight to put the twenty-two man Council into effect. At the time that he was fighting for that particular piece of legislation, I am sure that he felt he was doing the right thing. I am sure he now feels his present article is the right thing. Whether or not we agree with the contents of the article is unimportant. I know he is honest in his convictions, no matter what he does, and because of the honesty and integrity and ability of a man like Judge Adlow, that honesty and integrity and ability is pretty well developed among the members of the bench. It is true of far the great majority of men on all the courts in the Commonwealth. It is because of things of that nature that we have been fortunate in the bench of Massachusetts under the present system.

Coun. RUSSO—Mr. President, a point of order. The question is whether or not we should have the election of judges in this state.

Coun. MUCHNICK—Yes, Mr. President. It seems to me that up to this time, outside of Councilor Cook, I am the only one touching on the order.

President KELLY—Well, I hope you lead up to it.

Coun. MUCHNICK—I have already led up to it. I am discussing the order. I am giving my reasons why judges should be appointed and not elected. I am using Judge Adlow as one example.

President KELLY—Thank you for leading up to the main matter.

Coun. RUSSO—Mr. President, I hope you do the ruling and not him.

President KELLY—I am doing the ruling, councilor. Councilor Muchnick, I hope you are leading up to the real meat of the order.

Coun. MUCHNICK—I have already led up to it and stated my position. It is because the bench is manned by people like Judge Adlow that I am in favor, with some of the corrections suggested by Councilor Cook, of letting the present system prevail. I am greatly opposed to the popular election of judges.

President KELLY—That is fine.

Coun. LINEHAN—Mr. President, now that the speeches are over, I can now make a point of order.

President KELLY—State your point of order.

Coun. LINEHAN—I do not think that the Corporation Counsel can present such a piece of legislation to Beacon Hill. I would like the clerk to so rule, it has nothing whatsoever to do with the affairs of the City of Boston.

President KELLY—The order is a request for his Honor the Mayor to take certain action. His Honor the Mayor has the right to take whatever action he wants.

Coun. LINEHAN—It does not seem to me the City Council can ask the Mayor to do something which under the law as Mayor he cannot do.

President KELLY—It is just a request, councilor. The Mayor can do as he sees fit.

Coun. LINEHAN—I never knew, Mr. President, we could ask the Mayor an illegal request. I do not think it is within our power or jurisdiction. We have heard about it before—within our jurisdiction.

President KELLY—There is nothing illegal about the order.

The question came on the suspension of the rule, and the passage of the order, and it was not a vote.

Coun. COFFEY—Mr. President, I move that the order go to the committee.

Coun. MUCHNICK—Mr. President, a point of order.

President KELLY—This order stands rejected. Do you move reconsideration?

Coun. MUCHNICK—Mr. President, I move reconsideration so that it will go to a committee.

The question came on reconsideration, and the Chair declared it was not a vote. Councilor Coffey doubted the vote and a sufficient number of councilors having joined him, the clerk called the roll. Reconsideration was lost, yeas 6, nays 10:

Yeas—Councilors Coffey, Hurley, Kelly, Russo, Seannell, Sullivan—6.

Nays—Councilors Bayle, Bryan, Chase, Cook, Hannon, Keenan, Kinsella, Linehan, Moriarty, Muchnick—10.

BOYS' CLUB IN EAST BOSTON.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor request the owners of Suffolk Downs race track to build a boys' club in East Boston.

Coun. COFFEY—Mr. President, this order asks for the owner of the Suffolk Downs race track to build a boys' club in East Boston. I have introduced the order for several reasons. The main reason, of course, is that Suffolk Downs is receiving eight more racing days this year than they received in the past. All the traffic that goes to Suffolk Downs as a rule goes through East Boston. They clutter up our streets. Several of our children have been injured. Several children have been killed as a result of traffic going to and from the horse track. They make a huge profit every year. They do not contribute very much to the people of Boston as a whole. I thought whereas the track was right in East Boston and East Boston has not a boys' or girls' club in it that the owners of Suffolk Downs, after enjoying such a splendid year last year and now receiving eight more racing days, would contribute some of the money of those eight racing days to the building of a boys' and girls' club, something similar to the boys' and girls' club they enjoy in Charlestown. I hope the order is passed, under suspension of the rule.

The order was passed under suspension of the rules.

REQUESTED REPORT BY TRANSIT COMMISSION.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor request the Transit Commissioners to report to the City Council what property is being taken and what property has been bought or sold in the past years, and when the work is to start on the rapid transit job in East Boston.

Coun. COFFEY—On this order, Mr. President, I am asking that some information be given the members of the City Council as to what land was bought and sold in the East Boston section where the rapid transit is going to go from Gove street to the Orient Heights section of East Boston. There

is all kinds of talk about options being taken and speculators being at work, working in the section in which the rapid transit is supposed to go. Leases are being let and so forth. I think it is for the benefit of everybody that this information be given to the members of the Council so we will know, and so we can inform others who own property where this rapid transit is supposed to go and warn them to hold on to their property and not lease it or let it out on option. I will ask that this order go to the Executive Committee and that the members of the Transit and the Planning Boards be invited to attend next week's session and give us this information.

The order was referred to the Executive Committee.

PLAYGROUND AT GRANT SCHOOL.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor request the School Committee to take immediate action on the tearing down of the U. S. Grant School which has been condemned and that the schoolyard be converted into a playground for children.

Coun. COFFEY—Mr. President, on this order, three months ago I talked to the Mayor about the tearing down of the condemned Grant School. This is a street that runs parallel with Chelsea street where all the traffic goes to the horse and dog tracks and the North Shore. This building has been condemned now for six years. It is in a natural playground area. If it is taken down, being in a congested area, it would become a natural playground for the children. There would be a very small cost to the City of Boston to put in swings, seesaws, and sand, and so forth. They would have one of the best play areas in the entire city at a cost of probably \$3,000 or \$4,000 for the equipment only. I am informed that the school would probably be taken down by building wreckers for nothing. The bricks and other material in there would more than pay them for the work they did on it. There is nothing left in the school. The boilers and pipes were taken out, and everything else has been taken from the school. I asked the Mayor in a letter three months ago about this, and I have had no reply. I am forced to introduce this order to get some action. I ask for suspension of the rules.

The order was passed under suspension of the rules.

APPOINTMENT OF WILLIAM F. O'CONNELL.

On motion of Councilor Sullivan, the Council took No. 1 under unfinished business, from the calendar, viz.:

1. Order approving appointment of William F. O'Connell, as substitute stenographer-clerk, at yearly salary of \$2,700.

President KELLY—Councilor Sullivan calls up No. 1 on the calendar. The question is on the passage of the order.

Coun. HANNON—Mr. President, this is a very embarrassing position to be placed in. I do not want anyone to feel that I am opposed to any man obtaining a position. Good luck to him. I think any man is welcome to any job he can get. I am always happy to contribute to the providing of employment to any man or any group of men. However, even in politics I think there is a certain spirit of fair play that should be emulated. If I were on any job I would not want anybody put in over my head. I do not feel that I am going to contribute to putting anybody else in over the head of another person who has been here. No employee here means any more to me than any other employee. They are merely employees. But I believe in fair play, just as when Bill Greeley went into the service and we promoted Dinny Shillue to take Bill Greeley's place in the next higher step as far as salary was concerned, and each one in the lower brackets was promoted up. This is only a temporary promotion. I still believe the same system ought to prevail. If a man has been here and has done his work, I think he should at least be treated fairly enough so that if there is an opening higher above him, he should be given that opening. So I move that this order be amended, and the name of William Bailey be substituted for

William O'Connell at \$2,700 a year. Later we can move that Mr. O'Connell be promised to start in here at \$2,300.

Coun. LINEHAN—Speaking on the amendment, Mr. President, I would like to ask the clerk, through you, sir, if it is possible to substitute words other than those words—substitute for "stenographer-clerk," and put in whatever work these gentlemen are going to do.

President KELLY—I am informed it is not necessary to define any position in the City Council, especially a substitute position.

Coun. LINEHAN—Mr. President, I do not want to go on record today or any other day, as filling a vacancy such as a specific vacancy with a specific title of "stenographer-clerk" with any gentleman who has absolutely no experience or ability to do the job of stenographer-clerk. Now if the gentleman from Roxbury can get around the words "stenographer-clerk" and put in whatever Mr. Bailey's job happens to be at the present time and lower the salary down to what Mr. Bailey gets, I will vote in favor of William F. O'Connell. I certainly cannot vote for William F. O'Connell as a substitute stenographer-clerk at \$2,700 when he cannot possibly fill that job. He cannot possibly do it. It has been admitted he cannot. I do not think you make the Council look like an efficient body. Some people do not think we are now. Even in our own minds we ought to straighten it out. We certainly do not look clever or efficient in our own eyes, never mind anybody else's, to say we are having a gentleman take the place of Al Holland, an efficient stenographer-clerk, and fill his place with a gentleman who is going to do nothing but greet the public. Let us not kid ourselves and say we are going to fill the job for a year and at the end of a year we will not ask to have him kept on. There is no question in my mind if Al Holland stays in the Registry of Deeds office at least six years and Leo Sullivan's term extends six years, and he will fill out his term, God willing, with the possibility of more terms, Leo Sullivan will be glad to retain Al Holland. He will do a good job in the Registry of Deeds, as we all know. It seems to me eventually we come to the point if this job is needed at all this fellow will fill it permanently. We cannot postpone filling it indefinitely. You might give Al Holland a leave of absence for two or three years. We cannot do it forever. If the job is not needed, I say let us do away with it. If we need another greeter in the Hall here, let us change the job back to some other job from stenographer-clerk. Best of all, to protect Al Holland if he wants to come back, do not fill the job at all. At the end of a year if he does not like the job in the Registry of Deeds, we will gladly take him back. We would be glad to get him. We know he is a valuable employee. I do not think it is good business to substitute another man for Al Holland because he is a good fellow. I do not doubt he is. Other people besides the councilor from Roxbury tell me he is a good fellow. We all know a lot of good fellows. The only patronage I have is one constable. We used to get two. I do not see why the gentleman from Roxbury should get any more consideration than the gentleman from Ward 7. To be brutally frank about it, I was not asked if I had a capable man to fill this position. I do not think any other councilor was. I stand to be corrected. I can only speak for myself. If this man is not going to do the job of stenographer-clerk, does it mean we need another man to greet the public? I do not think we do. I think every councilor here in his own mind agrees with me even though he does not get up and say so. If we need a stenographer-clerk in place of Al Holland, let us get a stenographer-clerk in and not a greeter. That is what it boils down to here. If we need a stenographer-clerk, let us get a stenographer-clerk. It is all right to say, "I do not want to do a man out of a job." At the same time I want a man who will take dictation for me if I need him. I think every other councilor in the near future is going to find out we are going to have to do more work of the errand-boy type, looking for jobs for different people, writing letters to Congressman McCormack or people looking for work. I had more requests for work in the last three weeks than all last year. I am assuming every councilor is the same. I do not doubt but what we are going to need the assistance of an aide in place of Al Holland, but not a greeter. If we are going to fill the job at all it should be with an experienced stenographer-clerk.

Coun. HURLEY—Mr. President, I am going to vote against the amendment substituting William Bailey's name because Mr. Bailey came to me voluntarily last week and told me he wanted no part of the job, he is very satisfied with the job he has, and he has no desire to step into Al Holland's job or rating. For that reason I will vote against the amendment to substitute Bailey's name for O'Connell's name.

Coun. MUCHNICK—Mr. President, last week just before this particular matter became unfinished business for this week, I suggested that we should wait and see if this job needs filling. We should wait to see if the Council would function as well without filling this job as it would if the job were to be filled. I wondered at that time and I wonder now whether or not the City of Boston will run as well five or six weeks from now as it ran the past week while this job was still unfilled. I think most of us in here know that this job is not a necessary one at the moment. If it is not a necessary job there is no reason why we should take \$2,700 of the taxpayers' money and waste it merely because a good fellow wants a job and merely because somebody may have told him he will try to get it for him. That is not our function. We are not here for the purpose of handing out unnecessary jobs to people merely because they want them, merely because they need some weekly income. There is not any one of us in here who could not bring in at least 20 people on half an hour's notice who would like a similar job and who could use a similar job. That is no reason why we should take the taxpayers' money for one job or 400 or 500 of such jobs. We are faced now with an increased budget which means an increased tax rate. Wherever we can save \$2,700 without impairing the efficiency of the city we should do it and we must do it. On the second point that was so ably brought out a few minutes ago by Councilor Linehan—if this job must be filled, then clearly the need calls for somebody who can take dictation and transcribe it and do the necessary typing. That is, if we need anybody here, and I very frankly doubt it, we need somebody who can handle stenographic and clerical work, and until such time as we get somebody who can do that kind of work there is no reason to discuss the matter at all. Now, most of the men in the Council either are or have been in some business or other. I know very well that in their own private businesses no member of the Council would hire anybody at \$2,700 a year if there was not a need for that person to fill some specific job and if that person did not have the ability to do the work. If we would not do that in our own private businesses, I do not believe any one of us here is stupid enough to do it. It seems to me we have no right to take the taxpayers' money—in a sense we are trustees—and waste it. In the same way, I sincerely hope both the amendment and the original order are defeated.

Coun. COFFEY—Mr. President, talking on the order. I do not know what the amendments are, and I do not care. They do not interest me. But I disagree with the gentleman who just took his seat the same as I disagreed last week. It is his opinion we do not need another man here. It happens to be my opinion we do need another man here. Besides that, we can also use a girl telephone operator on this floor. The more help we have here the better it is for us, the easier it makes it for us. I never met the gentleman in question until today. He happened to be in the Executive Chamber at 8.45 a. m. when I walked in. Then I did not know who he was until after I got talking with him. One thing I must say for him he was on the job this morning. He got in bright and early and before nine o'clock had the mail distributed, and was sitting at his desk to answer the telephone. The most important thing in my opinion in this Body is that somebody will answer that telephone and give people an honest answer. I am cognizant of the fact that over 100 times I have come in early in the morning and found people on the telephone who did not belong in City Hall in any official capacity whatever. If anybody called to get a councilor, they got a sarcastic answer. They got some foolish reply that the councilor was not in, never would be in, and never does come in. It has happened more than once. It has happened even here. Councilors have taken the floor as a result of it. I have heard the councilor from Ward 3 (Coun. Russo) could not get a constituent on the telephone. I have heard councilors on the other side complain about it. I say the man is needed badly. That is my

opinion. As far as wasting the taxpayers' money, I would not mention that too often if I were some of the members of this Body. Sometimes the taxpayers might get up in arms and ask these people if they have not wasted the taxpayers' money in one capacity or another. I would not go into that too often. Twenty-seven hundred dollars is a nice salary. That is true. We all can get constituents who would like to get that job. Of course, we could bring in 20 or 30 people on half an hour's notice to take the job. That is true. It so happens a man was picked for that job. Can you or anybody within the hearing of my voice answer this question? Of all those who work on the fourth floor in the City Hall, didn't somebody sponsor them at some time or another. How did they get the job if they were not sponsored?

Coun. LINEHAN—Mr. President, I never sponsored anybody. Will the gentleman yield for an answer?

Coun. COFFEY—Yes.

Coun. LINEHAN—If I remember, I thought he wanted an answer. If I remember the question, he wanted to know if somebody in the Council did not at some time or other sponsor any of these people up here.

President KELLY—I think what he meant was—

Coun. LINEHAN—I would like to have him answer.

President KELLY—Will you define your question?

Coun. COFFEY—I thought I made a general statement. I mentioned nothing about what has happened recently or any members of the Body. I said, can anybody tell me at some time or other whether everybody working on the fourth floor was not sponsored by somebody or other? This goes back over a period of years before you and I were here. There are only two appointments to my knowledge since I have been here, both sponsored. Councilor Hurley admits he sponsored one, and Councilor Russo will not deny he sponsored the other. These are the only two councilors who sponsored anybody for jobs here. Going back over the years, you will find out everybody on the floor was sponsored by somebody or other. I would like to have got this job for my constituents. I had the good fortune of having one of my closest friends work on the floor. He has passed on. When the job was filled, I did not recommend anybody. A good man came up. Even the councilor from Ward 5 (Councilor Bayley) admits the gentleman is worthy of the job he holds. Everybody will agree that every man on the floor is all right. They might have their grievances against them or personal feelings. I do not know. I am on friendly terms with every one of them. I do say the press only carried half of the story last week, just Councilor Muchnick's statement that we were throwing away \$2,700, that the man is not needed. We need the man. We can use a telephone operator over and above this position now being filled. I hope that the man gets the job. I am going to vote for him. I think he is capable of filling the job.

President KELLY—The question comes on the amendment.

Coun. HANNON—What is the amendment?

President KELLY—Substituting the name of William Bailey for the name of William O'Connell.

The question came on the amendment, and it was not a vote. The question came on the passage of the order. The roll was called, and the order was passed, yeas 10, nays 8:

Yeas—Councilors Coffey, Hurley, Kelly, Kinsella, Lane, McCormack, Moriarty, Russo, Scannell, Sullivan—10.

Nays—Councilors Bayley, Bryan, Chase, Cook, Hannon, Kcenan, Linehan, Muchnick—8.

Coun. BAYLEY—Mr. President, I move reconsideration. I believe reconsideration should prevail and that we should not approve of this gentleman at \$2,700. Last week I said there were several people, quite a few people, who could do both shorthand and typewriting who would be willing to fill that job for \$2,700 a year. I have since been informed there are several. The civil service list can provide people at \$2,500 who can take both shorthand and do typewriting work, if we admit the position is necessary, and I do not agree it is necessary.

The question came on reconsideration, and it was not a vote. Councilor Bayley doubted the vote and, a sufficient number of councilors having joined him, he asked for a roll call.

Coun. LANE: Mr. President, one week ago when this matter was being discussed about the appointment of Mr. O'Connell.

Coun. COOK—Mr. President, a point of order. I thought we were in the middle of a roll call.

President KELLY—We had not started it.

Coun. COOK—I did not think you could talk before you had this roll call doubting the vote.

President KELLY—The Chair will rule the roll call had not commenced and Councilor Lane is in order.

Coun. LANE—One week ago we discussed freely the appointment of this individual, at which time I voted in favor of him. You recall, Mr. President, at that time I brought to your attention the matter of another individual, a temporary appointee on this floor receiving less money, and you answered me, apparently interested as you were in Bailey. I do not question that, that he recently received an increase which you secured for him and you would be quite willing to go through very shortly for another increase for him. With the hope that you will soon equalize the pay with this new appointee, I am in favor of voting on Mr. O'Connell. I hope you will keep your word with me on Elmer Bailey.

The roll was called, and the motion to reconsider was defeated, yeas 7, nays 11:

Yeas—Councilors Bayley, Bryan, Chase, Cook, Keenan, Linehan, Muchnick—7.

Nays—Councilors Coffey, Hannon, Hurley, Kelly, Laue, Madden, McCormack, Moriarty, Russo, Scannell, Sullivan—11.

Present Councilor Kinsella.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Edward Brosemer (referred February 3) to be Weigher of Goods for term ending April 30, 1947—that same be approved.

Report on appointment of Robert Griffin (referred February 3) to be Weigher of Coal for term ending April 30, 1947—that same be approved.

The reports were accepted, and the question came on confirmation. Committee, Councilors Madden and Coffey. Whole number of ballots 15, yeas 15, and the appointments were confirmed.

INFORMATION ON MOTION TO TAKE FROM COMMITTEE.

Coun. MUCHNICK—Mr. President, how many votes does it require to take something from a committee that has been in less than thirty days?

President KELLY—Fifteen votes.

Coun. MUCHNICK—Is that fifteen or two-thirds of those present?

President KELLY—Two thirds of the entire membership are 15 votes.

Coun. MUCHNICK—Thank you.

LIGHTING FACILITIES, COOK AND WARREN STREETS, WARD 2.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to order the Street Lighting Division of the Public Works Department to install a bracketed electric light on the carrying pole on Cook street, opposite Sheafe street, in Ward 2, Charlestown, and to survey Warren street, Ward 2, Charlestown, for the purpose of improving the street lighting facilities thereon.

Coun. KINSELLA—Mr. President, briefly those two locations are among the darkest we have in Charlestown. I would like to describe this order as the type that Judge Adlow undoubtedly would not approve of. It is fair to assume any ordinary citizen going in and making such a request would not get as far as we would. I hope he does not object too strenuously when he realizes we are getting a few extra lights where we need them badly in Charlestown.

The order was passed under suspension of the rules.

SEPARATE SCHOOL OF NURSING.

Coun. HURLEY offered the following:
Ordered, That his Honor the Mayor confer with the trustees of the Boston City Hospital to consider the advisability of separating the school of nursing from the general nursing school.

Coun. HURLEY—Mr. President, two weeks ago today I introduced an order asking that the Mayor confer with the Board of Trustees of the Boston City Hospital. I wanted Celia Knox, director of the school of nursing, to show reasons why she should not be removed. I do not know how far along that matter has gone, whether the Mayor has conferred with the Board of Trustees or whether the Board of Trustees has this order under consideration. In the meantime, in the past few weeks, from my own personal observation and talk with various members of this Body, the situation at the hospital in regard to nursing has become very bad. In introducing this order I thought that pending the decision of the Board of Trustees in studying this matter about the removal of Miss Knox, if the Mayor would confer with the Board of Trustees to have the Board of Trustees separate the school of nursing from the general nursing service in the hospital, I am quite sure there would be a marked improvement in conditions in the hospital. It will be amazing to members of this Body to realize that the superintendent of nurses has 990 employees of the hospital under her direct control, if she has any control. We have 253 graduate nurses working. I do not know how many nurses are supposed to be working in the hospital. I imagine it is twice the number of nurses that are working there. We have 153 students in our own school in the Boston City Hospital School of Nursing. We have 191 affiliate nurses that are affiliated at our hospital from various hospitals throughout New England. We have 17 senior cadets plus 189 medical workers, which include ward maids, assistant helpers and so forth. We have 167 male medical workers, which include orderlies, porters, and the like, and 20 house workers, and chambermaids and cleaners who work in the nurses' homes. This is a large amount of work for any one director in any institution. I do not think Miss Knox has the capacity and the ability and, yes, the education, to conduct a school with over 368 nurses in it, including 153 of our own nurses, 191 affiliates, and 24 teaching nurses at the hospital. I think the director of nursing in the Boston City Hospital should have one school and take care of that school. That is what her title calls for, director of the school. She should have a lot of work to perform. It would give her, the director, the opportunity of visiting the Massachusetts General Hospital and hospitals probably similar in size to the Boston City Hospital and comparing notes with the directors of the other hospitals in regard to their schools of nursing with the thought in mind of improving conditions in our hospital. I was reading an article yesterday about the graduation of nurses at the St. Elizabeth's Hospital. In that article it went on to say Sister So-and-So, director of the school of nursing, capped the new graduate nurses, and she was assisted by another Sister with the title of director of general nursing. Director of general nursing means that she has charge of all the work of the nurses, the graduate nurses, taking care of the sick plus the help that work on the wards throughout the hospital. I stated that conditions have got worse since I talked here two weeks ago. It was only last night that I went into the hospital at about quarter past eleven. Medical 7 and Medical 8 Neurological Services take care of bad cases of brain and spine injuries, and anything pertaining to the nervous system. They are located in Medical 7 and 8. One nurse was taking care of that type of patient. She was running back and forth from the seventh floor to the eighth floor and from the eighth floor to the seventh floor. In Dowling Building 2 North and 2 South there are many post-operation cases, serious cases, as I said before. There is a violation of the City of Boston fire rules. The fire door is supposed to be closed at all times except when someone is passing from ward to ward. It is fastened back and locked back, opened, Ward 1 and Ward 2. Ward 1 of course we know is the ward where people are taken to the hospital for alcoholism, and are confined there. The nurse has a very difficult job in maintaining order in that particular ward. The next ward is a female medical ward. In that building in Wards 1 and 2 is one student nurse. When I say one nurse, I

mean one student nurse, not a graduate nurse, a student nurse. In Surgical 1 and 2, female and male wards in the surgical building, the same condition existed. One nurse is taking care of post-operation cases, leg amputations, people operated on for gall bladder and kidney trouble. On surgery there is one student nurse between those two floors. Mr. President, I hate to say this but in a very short time, probably within a month we are going to lose four hospitals in New England that are sending their students to our hospital for further training. This is going to make a very big dent in this figure I quoted of 191 affiliates that are now training at our school. Their student nurses and our own student nurses and our affiliates are doing a grand job at the hospital. Without them our hospital would not exist today. Our hospital after eleven o'clock at night is staffed generally by these student nurses. Four large hospitals that are now affiliated with us are withdrawing their students from our school because they are sent to our school for specialized training that their hospitals do not have facilities for. If a girl is sent into our hospital from some outside hospital where they do not have a Pediatric Department, that girl comes to our hospital for a period of time to take pediatrics. They come to our school for one particular subject. During the night instead of being assigned to pediatrics, we find we have a shortage in the maternity or surgery or medicine, and the girls are removed from specialized training to some other training they had in their own hospital. The directors of the schools of nursing are sick and tired of using these affiliates in capacities where we should have nurses or our own students. They know it is a waste of time on the part of students going over the same subjects they had in their own school. Four large hospitals are withdrawing their students. Let me remind you gentlemen you are going to have lots of complaints from people living in your district for lack of attention and lack of nursing and care from now on. As I stated, in these wards last night it was bad. You can understand yourself, gentlemen. I know you are all in the hospital at various times. When you go into a ward to visit a constituent, and you wait there for probably half an hour and find out that the student has come up and down the stairs and asks to be excused because she has been very busy in another ward she was assigned to, that is bad. I am telling you in another month you are going to have a serious condition. I charge, Mr. President, that all this condition is brought about by this particular woman who is directing our school, or supposed to be directing our school of nursing. She is no more directing the school than you are. She spends probably an hour or two in the hospital daily. If you doubt it go up or call up, and ask for her. Go there now. Call up on the telephone at 9, 10, or 11, and ask for her. She has just stepped out. She is not in the hospital. She has an arrogant, bad way about her. It was only last week, walking through one of the corridors where the place was crowded with help and with visitors, that a young student nurse was going to the cafeteria to have lunch. Her cap was not turned up on the corner as it should be. The director walked over in front of the crowd and pulled the cap off the nurse, and told her to go back to the ward. She kept the cap herself. In the eyes of the students, that is a disgrace. Here is a girl working with the seniors and prepared for graduation. She is sent back humiliated to the same people she has been taking care of. They lose faith in the girl. Something has happened to take away that rank. Something happened to take that cap off her head. These are only part of the conditions in the hospital, directed by the director of the school of nursing. At any time a nurse complains justifiably by letter there is not the courtesy of an answer. In desperation, as I stated before, if she uses the telephone, the girl is browbeaten and insulted over the telephone and told not to be bothering her. I spoke to the nurses in the hospital on different occasions. There are things this body here found, and they want to correct the situation at the hospital. They are all good girls. They love their school. They will work for it, and they want to work there. It is not a question of compensation. Four or five girls only yesterday who worked in the school resigned without cause and without reason. They were never asked why they resigned. They stated they were satisfied now that the compensation is better. I asked them, "Why don't you come back?"

This is your school and these are your friends, you graduated with them and worked with them." They say, "Councilor, we will not come back while she is in charge." In the meantime, I want the Board of Trustees and the Mayor to go over there. This is a great suggestion. I have talked it over with the Trustees and the heads of the services, the medical and surgical. They agree there should be a division in the school of nursing away from the general nursing situation in the hospital. I know of no people who are more interested in the welfare of the hospital than every member of this Body. Every day some one of them is doing a favor helping their constituents who are sick and injured to make their lives better and easier if possible while they are laying up there at our hospitals. I know it does not reflect credit on us when this situation comes up. We will have the thanks and prayers not only of the nurses but of all the patients in our hospital. Mr. President, I suggest that we send this to a committee and see in the absence of the Mayor if we could not arrange through the committee to work directly with the Board of Trustees of the hospital and see if we could help them and help us to see our way to make this possible.

Coun. COOK—Mr. President, I would like to add if they call in some of the doctors, especially those at the head of the services, they would agree with the councilor as to the attitude of Miss Knox and the constant demoralization of the nurses at the hospital.

The order was referred to the Committee on Hospitals.

LOAN ORDER FOR TRAFFIC LIGHTS.

Coun. RUSSO offered the following:
Ordered, That his Honor the Mayor be requested to send to the City Council a loan order for sufficient moneys to take care of installation of automatic traffic lights in intersections where needed in the City of Boston.

Passed under suspension of the rules.

TRAFFIC LIGHTS, WARD 3 INTERSECTIONS.

Coun. RUSSO offered the following:
Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of Fleet and Commercial streets, at Eastern Avenue Wharf, and at all other intersections on Atlantic avenue and Commercial street.

Coun. RUSSO—Mr. President, I believe this is not the first order I have put in for the installation of traffic lights at the intersection of Fleet and Commercial streets and at the wharf where the Long Island boat comes in and leaves. I have had a letter from Dr. Sacchetti from the Long Island Hospital commending me on the first order I put in the Council approximately a year ago, telling me how vital it is that traffic lights be installed at that intersection. Only last week I received another letter from the Commissioner and from the doctor which was forwarded to me again, asking that I do something about it in order to have the installation of traffic lights effected. I had several talks with individuals in authority in the Traffic Department. Bill Desmond has agreed with me that is one spot where traffic lights should be installed immediately. As a matter of fact, in talking it over with him I asked if we should not have traffic lights along Commercial street and Atlantic avenue and all the intersections down there. Ever since the Elevated structure was taken down, that has been made a thoroughfare. Unless something is done, Mr. President, and done immediately, I feel a serious accident may happen and then it will be too late to act to save lives and save the injured. I am looking ahead to avoid in the future having any serious accidents or at least try to reduce the amount of accidents. I have been informed by Mr. Desmond that the only way we can install traffic lights is for the Mayor to send a loan order to the Council in order to have sufficient money to erect these traffic lights. I do hope his Honor the Mayor will send in to the Council a loan order for this worthy purpose. I feel we will be doing our duty to the people of the City of Boston by erecting these traffic lights where necessary in order to reduce or eliminate further

serious accidents in the City of Boston. May I also add in the various orders I have presented there is one at Kneeland street and Harrison avenue, Albany and Broadway, and various other intersections where these lights are needed. During the past few years on account of the war they have been unable to get the equipment. However, I have been informed they are able to get some of the equipment now. I trust his Honor the Mayor will send in this loan order immediately in order to have the traffic lights installed. I hope the order is passed under suspension of the rule.

The order was passed under suspension of the rules.

PETITION OF BOSTON WATERWAYS, INC.

Coun. LINEHAN—Mr. President, I would like to move at this time a point of information. I would like to ask the chairman of the Committee on Licenses whether or not we are going to have a report on the petition of the Boston Waterways, Inc.

Coun. COFFEY—Mr. President, the report which has come back from the Traffic Commissioner is still in the clerk's hands. It will not get to me for two or three days. I will have a committee meeting during the week.

Coun. LINEHAN—May I ask the councilor what clerk it is who has the report?

President KELLY—Mr. Hynes, the City Clerk. The Clerk of Committees will get it tomorrow afternoon or Wednesday morning.

Coun. LINEHAN—There is no possible way to get it in Executive Session?

President KELLY—It has been referred unanimously by the Council to the Committee on Licenses earlier in the meeting.

Coun. COFFEY—May I further state I got a report this afternoon from the Law Department. I have not had a chance to show it to the committee members.

Coun. LINEHAN—Why I rise to ask the question is that last week I asked the same question and was told we would probably act on it this Monday. I have several orders here, Mr. Chairman.

SIDEWALKS, WILLOW COURT, WARD 7.

Coun. LINEHAN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install granolithic or black top sidewalks in that part of Willow court, Ward 7, which does not already have sidewalks.

Passed under suspension of the rules.

TRUCKS OF WALTER REED CORPORATION.

Coun. LINEHAN offered the following:
Whereas, The drivers of trucks belonging to the Walter Reed Corporation, which are hauling clay fill from Congress street to the Clapp street dump, are negligent in allowing parts of their loads to pile up high on Boston street, Ward 7, creating a health menace to the residents and causing damage to property in the immediate vicinity as a result of said clay splashing against houses; therefore, be it

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to take immediate steps to compel the Walter Reed Corporation to keep Boston street, Ward 7, clean from the vicinity of St. Mary's School to Willow court.

Passed under suspension of the rules.

REFUSE DROPPED ON OLD COLONY AVENUE.

Coun. LINEHAN offered the following:
Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to compel dump trucks traveling along Old Colony avenue, in the vicinity of Old Harbor Village, to travel in such a way as to prevent refuse from dropping off said trucks into Old Colony avenue, Ward 7.

Passed under suspension of the rules.

STREET ILLUMINATION AT WARD 12 INTERSECTIONS.

Coun. COOK offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install proper street illumination at the intersections of Warren and Savin streets and Warren and Maywood streets, Ward 12.

Passed under suspension of the rules.

OBSTRUCTION OF PASSAGE OF FOOT TRAVELERS.

Coun. HANNON offered the following:
Ordered, That section 36 of chapter 39 of the Revised Ordinances of 1925 be amended by including in the first line the words "public place," so that the line will read as follows: "No person shall in a street, or public place, unreasonably obstruct the passage of foot travelers."

Referred to the Committee on Ordinances.

REFUSAL OF PERMIT TO MRS. GERHARDT EISLER.

Coun. KEENAN offered the following:
Ordered, That his Honor the Mayor be requested to revoke the permit of Brown Hall on Huntington avenue, if Mrs. Gerhardt Eisler, wife of the leader of the Russian spy ring who is now facing federal charges of conspiring to overthrow the United States Government, is allowed to speak in said hall on Friday evening, February 14.

Passed under suspension of the rules.

RETIREMENT ALLOWANCES FOR CERTAIN POLICEMAN AND FIREMEN.

Coun. MORIARTY and LANE offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation relative to retirement allowances for policemen and firemen retired for accidental disability under the Boston Retirement Act, so called, provided such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rules.

RETIREMENT OF FIREMEN.

Coun. MORIARTY and LANE offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation to make certain provisions of law relative to the retirement of firemen apply in the City of Boston, provided such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. MORIARTY, for the Committee on Public Lands, submitted the following:

Report on message of the Mayor and order (referred January 6, 1947) for sale of land at Commonwealth and Chestnut Hill avenues—that same ought to pass.

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

Coun. BAYLEY—Mr. President, may I have more information on this matter?

President KELLY—I would be glad to get it for you.

Coun. MORIARTY—Mr. President, some time ago this was originally put up at public auction, this parcel of land at Commonwealth and Chestnut Hill avenues. It was put up at public auction at an upset price of \$125,000. The city auctioneer held that public auction. He received no bids. I am given to understand that there were interested parties, but no bids were submitted. I have been lately informed that there are parties interested in

that particular parcel if land at the now present upset price of \$110,000. The Committee on Public Lands feels the city will derive some benefit at this reduced upset price if the land is ultimately purchased.

Coun. BAYLEY—Mr. President, is this a public auction?

President KELLY—This is a public auction, counselor.

Coun. LINEHAN—Is this a question. Mr. President, where the city might get \$125,000 or \$135,000, or is it just a \$110,000 minimum?

President KELLY—They may get anything over \$110,000 at public auction.

Coun. LINEHAN—I would like to ask the chairman if that is so.

Coun. MORIARTY—Answering the counselor from South Boston, the auctioneer likewise informs me that there is no prohibitive bidding. If one chooses to go beyond \$110,000, the city will accept any bid beyond \$110,000.

The question came on giving the order its first reading. The clerk called the roll. The order was rejected, yeas 14, nays 3 (15 votes being necessary for passage).

Yeas—Counselors Bryan, Carey, Cook, Kelly, Kinsella, Lane, Linehan, Madden, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—14.

Nays—Counselors Chase, Coffey, Keenan—3.

Present—Counselor Bayley.

Coun. MUCHNICK—Mr. President, I move reconsideration for the purpose of having the matter sent to the Executive Committee. In the event it is reconsidered and acted upon favorably, it will stay in the Executive Committee until next week or the following week, and we can have the Chairman of the Board of Real Estate Commissioners in to give us some information, more information than we now have.

Coun. MORIARTY—Mr. President, I understand the chairman of the Real Estate Commissioners has limited knowledge on this. He merely acts as auctioneer. It was originally Park Department land. Therefore, it may be the Park Commissioner can give the counselor the knowledge he wishes.

Coun. MUCHNICK—I would be glad to have him there in addition to or in substitution for the chairman of the Board of Real Estate Commissioners.

Coun. COOK—Mr. President, evidently the Park Commissioner is in favor of it. I have voted in favor of it. It seems to me we ought to have a public hearing, and maybe the people around the district would like to state their views. I suggest if we have reconsideration we have a public hearing at which time all those interested will be invited.

Coun. CHASE—Mr. President, the reason I voted in the negative is because I desire more information on this matter. As all of us know, there is considerable controversy over sales of public land. I do not think it is wise for us to hastily go into this matter with a view to selling it without knowing what it is all about. In view of the fact that I have not had much knowledge and I am not well acquainted with the facts, I voted in the negative. I hope, sir, that the matter goes back to the committee and a public hearing will be given on the matter.

The question came on reconsideration, and reconsideration carried.

President KELLY—What is the pleasure of the Body?

Coun. MUCHNICK—Mr. President, I move that the matter be sent to the Executive Committee with instructions to hold a public hearing, at which time we may invite the Park Commissioner and the Real Estate Commissioner and the Law Department and any other department heads that the Body would like to have.

President KELLY—Counselor Muchnick makes a motion that this matter be referred to the Executive Committee and all those interested parties be invited.

Coun. MUCHNICK—At a public hearing.

President KELLY—At a public hearing.

Coun. LINEHAN—Mr. President, I move to amend it by inviting in addition to the department heads leaders that might represent the different churches and clubs in that ward, whatever ward it is. I do not know what number it is.

President KELLY—The Chair said all persons who are interested. That covers it.

Coun. LINEHAN—I am being specific. I am not leaving it to anybody's choice. I want specifically mentioned the people who are invited.

President KELLY—Counselor Muchnick, write out your motion, noting specifically whom you want invited, and give it to the clerk. We will call a recess for two minutes. Write out your order, please.

(Short recess.)

The CLERK—Counselor Muchnick moves it is to be referred to the Executive Committee, and the following people invited: Park Department, Law Department, Real Estate Board, leaders of the churches and synagogues, veterans' organizations, local boards of trade, local and state representatives and senators, union organizations, women's clubs, at a public hearing before the Executive Committee.

President KELLY—Does that include everybody?

Coun. KINSELLA—Mr. President, a point of information. We recently took a vote on passage.

President KELLY—That is right.

Coun. KINSELLA—Fourteen votes were recorded in favor.

President KELLY—That is right.

Coun. MUCHNICK—Then reconsideration was voted. I will ask the clerk a point of information through you. Since the matter will stand defeated without reconsideration, but reconsideration having been found, isn't it in order now for another motion for passage?

President KELLY—A motion to refer takes precedence over a motion to pass. Any motion would be in order but a motion to refer takes precedence over a motion to pass. Counselor Muchnick's motion is to refer the matter to the Executive Committee with instructions to invite these people.

Coun. KINSELLA—Is a motion to pass now in order?

President KELLY—If the motion to refer to the Executive Session is rejected, a motion to pass is in order.

Coun. KINSELLA—May I ask Counselor Muchnick to withdraw his motion for the purpose of putting the motion for passage once more? I have a specific reason for it.

Coun. MUCHNICK—Mr. President, I would like to know what the reason is. I do not think passage would prevail.

Coun. KINSELLA—Well, Mr. President, unofficially I would like to say I want to see Counselor Chase vote for it. It would then be given passage and first reading. The public auction is the thing that has been stressed for so long. Now in between the first and second reading you can ascertain the information that he says he would like to have adduced. I would like to prevail on him to change his vote on the next motion to pass from No to Yes and give it its first reading and all the subsequent details can be brought out since the public auction which is promised meets all his past criticisms on the sale of public lands.

President KELLY—Counselor Muchnick's motion has been put.

Coun. MUCHNICK—It is not withdrawn.

President KELLY—To withdraw that motion he needs unanimous consent.

Coun. KINSELLA—If Counselor Chase is allowed to answer my question?

Coun. LINEHAN—I object.

President KELLY—The question is on reference to the Executive. Counselor Muchnick does not withdraw his motion.

Coun. KINSELLA—I was going to say there is not anything for Counselor Linehan to object to.

President KELLY—That is what I am pointing out.

Coun. LINEHAN—I thought you said Counselor Muchnick had withdrawn it.

President KELLY—Nothing has been withdrawn. I just explained it would take unanimous consent to withdraw. Have you that information, Counselor Chase, for Counselor Kinsella?

Coun. CHASE—Mr. President, in answer to the gentleman from Charlestown, all I can say is I am not well acquainted with the facts surrounding the transactions. If some one could give me the explanation—

Coun. KINSELLA—Mr. President, I would like to say in the intervening two weeks between now and two weeks from today all the information necessary and pertinent can be adduced not only for the benefit of Counselor Chase but for the

others who voted against it for the same reason that Councilor Chase voted against it. There is always a possibility of defeating it on the second reading if the information is not forthcoming.

Coun. CHASE—Mr. President, I still feel the same way I did when I cast my vote. I should know more about the matter before I vote in the affirmative.

President Kelly—All right.

The question came on referring the matter to the Executive Committee, and the motion was carried.

TRAFFIC LIGHTS AT BROWN AVENUE AND CUMMINS HIGHWAY.

Coun. McCORMACK offered the following:

Ordered, That the Boston Traffic Commission be requested, through his Honor the Mayor, to install traffic lights at the intersection of Brown avenue and Cummins Highway, Ward 19.

Passed under suspension of the rules.

"STOP" SIGNS AT ELM STREET AND SEAVERNS AVENUE, WARD 19.

Coun. McCORMACK offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install "Stop" signs at the intersection of Elm street and Seaverns avenue, Ward 19.

Passed under suspension of the rules.

ELECTRIC LIGHTING ON CERTAIN WARD 19 STREETS.

Coun. McCORMACK offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to take the necessary steps to have the gas lights changed to electricity on the following streets in Ward 19: Holbrook street, Elliot street, Paul Gore street, Dunster road, Aldworth street, Florence street, Forbes street.

Passed under suspension of the rules.

TRAFFIC LIGHTS AT HILLSIDE AND CALUMET STREETS.

Coun. CAREY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install traffic lights at the intersection of Hillside and Calumet streets, in Ward 10.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON RULES.

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

Report on resolution (referred February 3) that Council request the Governor to reappoint to office of Commissioner of Labor and Industries James T. Moriarty—that same ought to pass.

The question came on the acceptance of the report of the committee, and the report was accepted. The question came on the passage of the resolution.

Coun. SULLIVAN—Mr. President, I think it is now in order to place this resolution on file.

The question came on the motion that the resolution be put on file, and the motion was defeated.

Coun. LINEHAN—Mr. President, I now move that the resolution be forwarded to the Governor in the proper procedure, and that the report of the Committee on Rules for other than placing it on file—

President KELLY—That has been defeated.

Coun. LINEHAN—I now move that the order itself, the resolution, be forwarded

The question came on the passage of the resolution, and the motion carried.

President KELLY—At this time the Chair will appoint Councilor McCormack chairman of the Executive Session.

RECESS.

On motion of Councilor Sullivan, the Council voted at 5.52 p. m., to take a recess subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order by President KELLY at 6.05 p. m.

Adjourned at 6.06 p. m., on motion of Councilor Muchnick, to meet on Monday, February 17, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 17, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair, Absent, Councilors Cantwell, Fish, Russo and Scannell.

The meeting was opened with the salute to the Flag.

PETITIONS REFERRED.

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

Claims.

Fred D. Bankett, for compensation for loss of coat while patient at City Hospital.

Catherine F. Barry, for compensation for damage to car by fire apparatus.

Charles H. Blackwood, for compensation for loss of clothing while patient at City Hospital.

Marion Halliday, for compensation for injuries caused by an alleged defect at 84 Traverse street.

Mary M. Lynch, for compensation for damage to car caused by an alleged defect in Morton street.

Ruth Marble, for compensation for injuries caused by an alleged defect in street.

Helena Ryan, for compensation for injuries caused by an alleged defect at 37 Fulda street.

Axel J. Stenberg, to be reimbursed as result of execution issued against him.

Sun Oil Company, for compensation for damages to billboard by city truck.

Committee on Licenses.

Petition of Walter M. McDonough Company, for driveway opening at 708 Columbia road, Dorchester.

The petition was declared referred to the Committee on Licenses.

Coun. LINEHAN—Mr. President, is it possible to have that passed today?

President KELLY—If you confer with the chairman of the Committee on Licenses.

Committee on County Accounts.

Petition of Frank C. Walsh, prison officer in House of Correction, to be retired under provisions of chapter 673 of Acts of 1945.

COMMUNICATIONS FROM THE FINANCE COMMISSION.

The following were received:

City of Boston,

Finance Commission, February 12, 1947.

To the Committee on Civil Service.

There are several bills before your committee which would authorize the placing of various present office holders in the service of the City of Boston under the civil service laws and regulations thereunder. Some of these provide that the individuals to be thus favored shall be subject to noncompetitive qualifying examinations. Others would give full civil service standing to individuals without any test of qualifications whatever.

On the merits of these proposed advantages to individuals the Finance Commission wishes to point out that authorizations like those proposed seriously injure the morale of the municipal employees generally. They usually interfere with the natural progress to higher positions of those who began at the bottom through civil service regulations. Thereby they stifle natural and desirable ambitions, and tend to destroy *esprit de corps* in the departments affected.

Moreover, there is one among these bills which is likely to have even more vexatious results if

established precedent is followed. It is Senate No. 201 which authorizes placing the employees of the Licensing Division of the Mayor's office under civil service. The bill before you grants this highly-prized privilege to the employees listed as such "upon the effective date of this act," and then the act reads:

"Sect. 2. This act shall take effect upon its passage."

When acts in the above form have been approved in the past, it has usually happened that this munificence of the Legislature has been abused by the administration in office at the time. The cloak of civil service has been thrown over many besides those who were intended to be benefited. In almost every such case, on the eve of final approval of the bill, a large number has been added to the particular pay roll affected. It has contributed substantially to the present overloading of the pay roll in many spots.

In the instance of the Licensing Division of the Mayor's office, if the bill must become law, the Finance Commission believes it should be amended to provide that only those who were on the division pay roll on January 1, 1947, should benefit. There were four at that time and that four are still there.

There is this additional consideration: The position at the head of this division is titled the "City Censor." Under the law the Mayor himself of course, is the City Censor. The employee designated as such is merely the Mayor's agent. Like all positions in the Mayor's office, the employees assigned to the Licensing Division have been outside the civil service laws by special enactment intentionally. The Mayor being the municipal policy maker, it has been deemed proper to permit him to select without civil service those who are expected to help make and carry out his policies. One of the most delicate problems of the Mayor's office, is this very work of the Licensing Division, the carrying out of the Mayor's policies in respect to public entertainment.

It seems to the Finance Commission that to impose upon one mayor the selections of a preceding mayor for this delicate work would not tend to produce harmonious relations between a mayor and his subordinates; and, if history repeats itself, which is quite likely in this instance, a future mayor is likely to be saddled with a number of employees in confidential positions in whom he might have little confidence. In such an event it would likely follow that the city would acquire another hatch of employees performing no worthwhile service.

In any event the Commission believes the doors should not be opened to permit further enlargement of the pay roll by the authority asked for in the bills before you.

Respectfully submitted,
EDWARD F. MULLEN, Chairman,
ALEXANDER WHEELER,
LEO J. DUNN,
FREDERICK DEANE,
FREDERICK W. ROCHE,

The Finance Commission.

ROBERT E. CUNNIFF, Secretary.

City of Boston,

Finance Commission, February 14, 1947.

To the Committee on Education,

Senator Ralph C. Mahar, Chairman.

Gentlemen,—The Finance Commission wishes to record its objection to House Bills 794 and 795, acts relative to discharge of teachers or superintendents of public schools.

Although it is recognized that in the field of educational law it is frequently necessary to enact a comprehensive statute affecting all communities alike for the purpose of insuring a uniform standard in school administration, it frequently happens that the situation peculiar to a municipality, in all reason and justice, should exempt that municipality from the coverage of such a statute.

Again, it may happen that the school administration of a city has been thoroughly and competently studied and suitable legislation passed so that the solution to the problem sought to be reached by the proposed statute has already been achieved and in a manner which best fits the needs of that city. Such is the situation in Boston.

After a survey of school administration in Boston, popularly known as the Strayer Survey and universally regarded as a classic by students of public education, several statutes were enacted to implement the basic tenets of this survey. One of these is chapter 497, Acts of 1946 covering the

election, tenure, and prerogatives of the Superintendent of Schools.

The provisions of House Bills 794 and 795 affect teachers and superintendents, their dismissal and retention; in the case of teachers, also, by implication, their number. Furthermore, the duties and prerogatives of the superintendent and other officials with respect to teachers will be affected by the proposed legislation. Whatever may be the merits of the proposed legislation as it would affect other cities and towns, it would conflict with present law and organization in Boston, and deprive the city of the gains made in chapter 497 of the Acts of 1946.

The Finance Commission believes that the ground work having been laid for the future administration of Boston schools as the result of the Strayer Survey and its implementation, and in a manner tailored to the best interests of the city, the provisions of House Bills 794 and 795, which would accord uniform treatment to all municipalities including Boston with respect to the provisions of the bills, would tend to nullify the benefits to Boston achieved in the survey and in present law consequent on the survey.

Respectfully submitted,
EDWARD F. MULLEN, Chairman,
ALEXANDER WHEELER,
LEO J. DUNN,
FREDERICK DEANE,
FREDERICK W. ROCHE,
The Finance Commission.

ROBERT E. CUNNIFF, Secretary.
Placed on file.

RECOVERY OF GEORGE HERMAN "BABE" RUTH.

Coun. MUCHNICK and HANNON offered the following:

Resolved, That it is the hope and prayer of the Boston City Council, in meeting assembled, and as an expression of the sentiments of the citizens of Boston, that George Herman "Babe" Ruth may obtain, by the grace of God, a quick recovery from his present illness, so that he may continue to be a living symbol and worthy inspiration to the youth of America.

Passed unanimously under suspension of the rules.

PRINTING OF COUNCIL PROCEEDINGS.

Coun. HANNON offered the following:
Ordered, That the City Council Committee on Printing be requested to direct the Superintendent of Printing to immediately arrange for the printing of the City Council Proceedings in a more legible type and style.

Coun. HANNON—Mr. President, I think this is a very constructive order. Many times we are forced to go back to the records of previous weeks and it is pretty hard to read the minutes of the Council; they are printed in such small type. I think that is something that might well be amended or corrected, and I think it would improve not merely the ability of the councilors to look back and check on previous meetings, but might assist other people to read the minutes of the meetings.

Coun. BAYLEY—Mr. President, I agree with the distinguished gentleman from Ward 13. It is pretty difficult with all the talk that goes on at the Council to have sufficient paper to record the minutes. It is my hope the councilors will be noted more for their brevity in the future so that we will use no more paper than we have to at the present, and keep the speeches to a reasonable length of time and have legible type as recommended by the distinguished councilor from Ward 13.

The order was referred to the Committee on Printing.

SIDEWALKS ON EAST SIXTH STREET, WARD 7.

Coun. LINEHAN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install granolithic sidewalks on both sides of East Sixth street in Ward 7.

Passed under suspension of the rules.

DORCHESTER HEIGHTS IMPROVEMENTS.

Coun. LINEHAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to make whatever improvements are necessary to place Dorchester Heights in proper condition for the spring and summer seasons.

Passed under suspension of the rules.

SANDING OF SOUTH BOSTON BEACHES.

Coun. LINEHAN and SCANNELL offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to resand all the beaches in South Boston so that they will be in good condition for the summer season.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Daniel J. Daly (referred February 3) as Constable, without power to serve civil process and to serve without bond, for term ending April 30, 1947—recommending that appointment be confirmed.

Report on appointment of Alfred Blaustein (referred February 10) to be Constable, for term ending April 30, 1947, authorized to serve civil process upon filing of bond—recommending that appointment be confirmed.

Report on appointment of Charles J. McGrath (referred February 10) to be Constable, without power to serve civil process and to serve without bond, for term ending April 30, 1947—recommending that appointment be confirmed.

Report on appointment of Edwin H. Fritz (referred February 10) to be Weigher of Goods, for term ending April 30, 1947—recommending that appointment be confirmed.

Report on appointment of John H. Holmes (referred February 10) to be Weigher of Goods, for term ending April 30, 1947—recommending that appointment be confirmed.

The reports were accepted, and the question came on the confirmation of the appointments.

Coun. KEENAN—Mr. President, a point of information.

President KELLY—State your point of information.

Coun. KEENAN—Could I have the sponsor of Mr. Daly as a constable?

Coun. SULLIVAN—Mr. President, I will be happy to please the gentleman from Ward 17. I am the sponsor of Daniel J. Daly for constable.

Coun. KEENAN—Mr. President, I don't think it is fair. I would like to see the councilor get as many jobs as he can for his constituents, but I don't think it is fair to the other councilors to have one constable and another councilor have two for the period of 1947.

President KELLY—Councilor, I am informed that Councilor Sullivan has only one constable.

Coun. KEENAN—I am informed differently, Mr. President. He had one constable in 1947 and he was promoted to a job as clerk in the City Council, and now he is getting another constable.

President KELLY—Councilor Sullivan has only one constable. This is his constable.

Coun. KEENAN—Mr. President, I ask when the vote is taken, that we vote separately on the confirmations of the constables.

President KELLY—The question is on confirmation of the other appointments.

Coun. MUCHNICK—Mr. President, I want to know whether or not that should have been handled by the Committee on Constables and Confirmations?

President KELLY—That is the report of that committee, councilor. The committee reports recommending the confirmations, and the Chair will appoint Councilors McCormack and Kinsella to receive, sort and count the ballots.

Coun. BAYLEY—Mr. President,

President KELLY—We are voting on them separately.

Coun. BAYLEY—Mr. President, who are we voting on now?

President KELLY—On all the appointments except Mr. Daly. The appointments are confirmed.

Coun. BAYLEY—By what vote, Mr. President? President KELLY—Eleven in the affirmative and none in the negative.

Coun. BAYLEY—Does that mean we adjourn, Mr. President?

President KELLY—It does not, councilor. The question now comes on the confirmation of Mr. Daly.

Coun. KEENAN—Mr. President, I ask that the name of Daniel J. Daly he sent to Executive.

President KELLY—Councilor Keenan asks that the name of Daniel J. Daly he sent to Executive.

Coun. SULLIVAN—Mr. President, I would like to know for what reason. Just a minute ago, I voted for three or four, taking the word of the committee, and I want to know why this name should be referred to the Executive Committee.

Coun. KEENAN—Mr. President, in answer to the councilor from Roxbury, the reason I am opposing the confirmation of Mr. Daly as constable is that Councilor Sullivan had a constable the first of the year. He saw fit to promote his constable to a \$2,700 a year job, and I think I am correct when I state that if he saw fit to promote him and get him a job at \$2,700, the councilor should be satisfied and not ask for another constable because it is not fair to the other councilors, including myself. I only have one constable, and I am damned sure I have not had any favors from the Mayor's office during 1946 and 1947 although I would like to get another constable on. If the other councilors have one constable, I think it is fair to everyone not to have two. I ask that this be referred to the Executive Committee.

Coun. HURLEY—Mr. President, I think the request made by the councilor from Ward 17 is rather unusual. We are all allowed one constable and this is the constable for the councilor from Ward 9 (Councilor Sullivan), and if this appointment is not confirmed by this Body, that would be giving one of us two constables, and I am sure the Mayor is not going to start giving me or the councilor from Ward 17 (Councilor Keenan) another constable. The councilor from Ward 9 has no constable now. On the promotion he secured for his friend, I think he was entitled to it, and I think it is a pity when men pick on little things like this and say, "Don't give him a job, don't give him a constable." I hope this does not go to the Executive Committee, and that we act one way or another today.

President KELLY—The question comes on referring this matter to the Executive Session.

Coun. SULLIVAN—Mr. President, I am very much surprised to see a fellow councilor get up on the floor and oppose another councilor because he is getting a job. I hope to drop dead if I ever stop another councilor from getting one or a hundred jobs more than I am. This, gentlemen, is being aimed at me personally, so take it out on me personally and not on somebody looking for a job and holding him up and depriving him of one week's pay because I was fortunate enough to fill a temporary job that was open here. Twenty-one of you had the same opportunity but because I was on the job and I asked for it first I got the O. K. on it as long as three months ago. I don't squawk when others come to work here. I say, good luck to any councilor no matter how many jobs he can get. I am all for it if the money is in the budget for employees and there are vacancies, fill those vacancies. Why, when a councilor gets up here and opposes an individual, he is not opposing that individual, he is opposing me in this case. This is my constable, and if I can get him a better job tomorrow, I will, and another name for Dan Sullivan will be in here next Monday. I am sorry, Mr. President, that this had to come up on the floor. I have always been taught to take a licking but never to go out and let your feelings run away with you and bring them here on the floor of the Council. I hope this name is not referred to the Executive Committee, and that it will pass here today.

Coun. BAYLEY—Mr. President.

President KELLY—The question comes on referring this name to the Executive Committee. Councilor Bayley.

Coun. BAYLEY—Mr. President, I think the gentleman from Ward 17 (Councilor Keenan) is right, and I think we should look into the qualifications of this new proposed constable to make sure it is necessary for the City of Boston to have an-

other constable. The fact that last week the majority of the councilors confirmed a man as stenographer-clerk at the City Council at \$2,700 a year who could neither typewrite nor take shorthand is not a reason why we should put another man on the public payroll unless we are sure, first, the constable is needed and, secondly, that this man can adequately fill the job. I think we should examine his qualifications, and I think it is entirely reasonable that this matter be referred to the Executive Committee.

Coun. HURLEY—I expected that, Mr. President, that the gentleman from Ward 5 would get up and oppose any poor fellow getting a job. I guess it is in the blood. Mr. President, there was nothing said when the gentleman who just spoke had a constable, and if he had ever been brought before any committee he would never have been appointed a constable. This is the watchdog watching the morals and finances and everything pertaining to Boston. He got a constable, but his name will not be mentioned by me. He named a constable who was appointed by us and, Mr. President, he had a record a mile long. That is the type of man he is, always biting and chasing and yelling at people. I don't believe he is sincere, but if he were sincere and his constable was above reproach, then he would have reason to get up and talk to us. But when a man will appoint a constable, yes, when I say constable, it means one of our friends who has been good to us, our good political worker, and that is what his constable was, a good political worker; but he had made a few mistakes. The councilor did not think at that time to question the man's character or his morals as long as he was able to ring a door bell or get a signature on a nomination paper. That was the main requisite for being a constable in his eyes, but now the shoe is on the other foot, it is someone else looking for a constable so he says, "Let us examine him, let us cross-examine him, let us find out what his moral standing is in the community, what is his character, his reputation." It was not so with him. Ah, this is hypocrisy, Mr. President, when they go along like this. The gentleman from Ward 5 continually is resorting to hypocrisy in this Body. A friend of the poor? Yes, he has a heart like — —

Coun. LINEHAN—Mr. President, I object a point of order.

President KELLY—State your point of order.

Coun. LINEHAN—I object to the gentleman stating the councilor is getting up here and using hypocrisy. I ask that be stricken from the record, there is too much of it.

Coun. HURLEY—I oppose that. The councilor was not in the Chamber when I said that.

President KELLY—The Chair will rule every councilor will try to refrain from personalities.

Coun. LINEHAN—I move it be stricken from the record, Mr. President.

President KELLY—Wait a minute. Councilor Linehan's motion is out of order. Councilor Hurley has the floor.

Coun. COFFEY—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. COFFEY—A point of order.

President KELLY—State your point of order.

Coun. COFFEY—If there is any truth in the statement made, and I don't think there is, it should not be taken from the record.

Coun. HURLEY—In answer to Councilor Coffey, may I say when I get through I will welcome the councilor from Ward 5 to stand on his feet and say I am not telling the truth here or that I have made some misstatements. In concluding, Mr. President, it is sickening when we hear people getting up here and asking about how other people live and what other people do. As the councilor from Ward 9 (Councilor Sullivan) so well stated a few weeks back, probably there are lots of things that have happened in our lives that have not become public and that we would like to keep quiet, too.

Coun. BAYLEY—Mr. President, I shall be delighted to answer the distinguished gentleman from Ward 8 (Councilor Hurley). In the first place, the man to whom he referred did not have a record a mile long, he had a very slight record. When that was brought to my attention, I asked that he be replaced by a man who had served five years in the service of his country with a distinguished war record. When I found out he had been arrested several times for drunkenness I asked that he be replaced because I believe every

man appointed should be a man above reproach, and I was pleased and wanted to place a veteran of five years' service in the United States Army and to see the other man was removed. Mr. President, instead of argument on the merits of the matter—

Coun. HURLEY—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. HURLEY—Will he yield for one question?

Coun. BAYLEY—I will not.

Coun. HURLEY—I knew you would not.

Coun. BAYLEY—We were not allowed to investigate, and were not allowed to investigate the gentleman who was put on as stenographer-clerk to see if that man could type or take shorthand. We are not allowed to ask if constables are necessary for the City of Boston. We are not allowed to ask if the man is qualified to fill the job or waste \$2,500 of the taxpayers' money. Because we are against the administration, we are called names here, we are told we are using hypocrisy from those in the majority trying to rule the city and run down the minority, Mr. President.

President KELLY—Councillor Bayley, this name was before the Committee on Constables and Confirmations. The committee investigated the man and brought back a report and submitted his name to the Council that he should be confirmed.

Coun. BAYLEY—Are you making a speech here or are you giving a ruling?

President KELLY—Councillor Bayley, I am answering your statement that the man was not investigated.

Coun. BAYLEY—It is not necessary for you to answer the question. If you do, you should take the floor.

President KELLY—Councillor Bayley, you will be in order.

Coun. KINSELLA—Mr. President, I want a point of information.

President KELLY—State your point of information, Councillor Kinsella. Councillor Bayley, do you yield the floor?

Coun. BAYLEY—For a point of information I will yield.

President KELLY—Councillor Kinsella.

Coun. KINSELLA—Frankly, I don't know what this is about. I want the chronology, and I would appreciate a statement of the Chair.

President KELLY—I will explain it to you, councillor. The Committee on Constables and Confirmations reported on the name of Daniel J. Daly of 15 Norfolk street, Roxbury, to be a constable. Upon investigating the gentleman they brought in a report that his name should be passed by the Council for confirmation. Councillor Keenan made a motion the other names be severed from this name, so we passed the other names which were confirmed. This name has come up for confirmation and Councillor Keenan made a motion that this man's name be referred to the Executive Committee. We are talking on that motion, councillor. Councillor Bayley.

Coun. BAYLEY—I was elected by the people of Ward 5 to represent them, and I am going to continue to do so to the best of my ability, no matter what names I am called, no matter what slander may be cast, no matter that it is said that I am using hypocrisy or bringing up a red herring; I am going to do my job even if I am a minority of one until this city is cleaned up and until we are allowed to speak our minds as expected without abuse. I have taken it for several weeks because I am in the minority, but I am going to fight for the rights of my district and the minority of this city. The question at issue is, whether we should refer this matter to the Executive Committee to see if the man who will be paid by the citizens of Boston is fit for the job; secondly, if the job is necessary. There are many jobs not necessary now, and it is about time we cut expenditures and started saving. I don't want a tax rate of \$48 or \$50 in this city. We are not getting economy when we put a man on the city pay roll who is not necessary. Let us look into the matter, let us have economy. I believe a great many positions have been created that are not necessary at the present time. We could save a great deal of money if we wanted to for the citizens of Boston. I am going to stand up and fight for their rights, no matter what names I am called and no matter what slander may be cast, and I will continue to take

the abuse while I am in this seat and until I am silenced. I hope the Council will have regard for the rights of the taxpayers. We made a mistake a week ago, and if we are not careful there may be nine of us or less, soon.

President KELLY—The question now comes on referring this name to the Executive Committee.

Coun. CHASE—Mr. President, I understand the matter before us is pertaining to some constable who has not been subject to interrogation.

President KELLY—The Chair might answer that by saying the Committee on Constables and Confirmations has already passed on the man, councillor. His name is before the Body for confirmation. Councillor Keenan has made a motion that this man's name be referred to the Executive Committee.

Coun. CHASE—Mr. President, I am adverse to putting on the public pay roll any more constables. I think, Mr. President, under the circumstances I can speak as one who cannot be subject to the cry of hypocrisy because I don't happen to have any constables on the city pay roll. Apparently his Honor the Mayor a long time ago in his mad desire to keep me in step with him discharged the constable I suggested some time ago, and then word was sent up that I could have my constable remain on the city pay roll provided I kept in line. Mr. President, I don't desire to keep in line with his Honor the Mayor if he gave me ten constables. Frankly, sir, I am glad I have no constable on the public pay roll because I feel that they are unnecessary, I feel that the city can get along without them, and I hope, sir, no one can say I am taking a hypocritical stand because I don't happen to have any constable on the public pay roll. I don't intend to stay in line with his Honor the Mayor in order to have a constable on the public pay roll, which James Michael would probably like to have. Sir, I think that it is too bad when we must obligate ourselves in our votes to his Honor the Mayor simply because he has seen fit to give the privilege to your councillors in the appointment of constables. I think it is bad for the city because I know a good many of us, sir, would like to go along on certain matters and would like to disapprove certain matters which his Honor the Mayor submits to us but because we have some dear friend, sir, who is on the public pay roll as a constable through Mr. Curley's approval we don't dare. I say, sir, that is a bad condition, to be under obligation to his Honor the Mayor because of what he might do in retaining some dear friend on the public pay roll. I have not sought one favor of his Honor the Mayor and I have not stepped into his office once, and I don't intend to. I am under no obligation to the man, sir, and I intend to vote here as my own conscience dictates and not what Uncle Jim downstairs tells me to do. Now, sir, I think in view of the fact that his Honor the Mayor over in the Parker House last year made a big issue of the surplus number of constables on the public pay roll, he contended at that time they were unnecessary and that he intended to abolish them, that he should stick by his word and abolish them. But, no, Mr. President, he is gradually adding on to the list of constables so that now there are almost as many as there were at the time he saw fit to criticize the large number. I hope, Mr. President, that none of your honorable members here feel I am unduly criticizing this or making this an issue, but I honestly believe, sir, in view of what his Honor the Mayor has said indirectly to me, that I could have my constable retained if I would not go out of line. I honestly feel, sir, that his Honor the Mayor has an undue hold on your Honorable Body when he approves the constables whom your councillors submit to him. In other words, sir, his Honor the Mayor is playing the old game, you scratch my back and I will scratch yours. Now, sir, I should think his Honor the Mayor would abide by his original thought that he gave to us in such a belligerent manner two days after he was sworn in as Mayor. You recall, sir, at that time one of his keynotes was that there are altogether too many city constables on the public pay roll, that they were an unnecessary burden to the city treasury and that he intended to do away with them. Sir, here we have another constable submitted to us by his Honor the Mayor for the public pay roll. I say to you, sir, that this is ample proof that his Honor the Mayor either did not know what he was talking about, or he just was making another wild statement and not intending to live up to it.

President KELLY—The question comes on referring this matter to the Executive Committee, Councilor Coffey.

Coun. COFFEY—I don't intend to get into this debate, and did not intend to, to begin with. There is a vacancy evidently in the councilor's ward for a constable, and that is his privilege, to name a gentleman from his district. I have no objection to what has been said up to the time Councilor Chase took the floor, but I have to oppose everything that the councilor from Ward 4 (Councilor Chase) just said. To begin with, neither Curley nor Tobin nor Kerrigan had a hold on me, and they never will. Maybe some of the councilors thought the present Mayor might have had a hold on me until the time I put on an exhibition a week ago last Tuesday, and I think that convinced one and all and everybody in the entire city that no one had a hold on me and never will. I have a constable to name myself. I always believed in the spoils system—to the victor goes the spoils. The fellow had guts enough, evidently to walk into the Mayor's office and ask for the job as constable and he got it. It is all right for the gentleman to get up and talk hypocrisy, and he says he is not talking in a hypocritical manner because he has not a constable on the pay roll this year. He had a constable on the pay roll last year, if I am not mistaken, and I don't mean 1946, I mean 1945, under the same Mayor Kerrigan and probably, too, under Mayor Tobin for some seven years. I did not know that he was related to the gentleman downstairs, the Mayor of Boston. He must be on more friendly terms than I am with him, because I have never referred to him as Uncle Jim. This is the first time I have heard that mentioned on this floor. I did not know they were related through blood or politics or some other relationship. Evidently they are related. He says he has never been in the Mayor's office. What the hell is he doing in politics? What are his constituents doing out there? They keep re-electing him and he is pretty popular out there, I know that.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase, for what purpose does the gentleman rise?

Coun. CHASE—May I remind the councilor not so long ago

President KELLY—For what purpose?

Coun. CHASE—A point of order.

President KELLY—State your point of order.

Coun. CHASE—The gentleman is using language unbecoming to a councilor.

Coun. COFFEY—I think that is nothing new for me.

President KELLY—Councilor Coffey.

Coun. COFFEY—As I say, the office is open downstairs, and any time I can do a favor for anybody from East Boston, I am going down to get the favor done. If I can get a job for anybody in East Boston, I am going downstairs and I am going to holler like hell if I don't get the job and if somebody else gets it from other districts, sure, I want as many to work in my district as I can get, that is political common sense. The more I put to work the better organization I am building for myself, and I am no fool. He runs errands, and he is no fool. He has been elected continually here and to the Legislature. But when Mayor Kerrigan was Mayor, he never came in, he sat outside maneuvering over the telephone, calling downstairs "O. K., Johnnie, that has passed," and "O. K., Johnnie, we are working on this one." Now, just because Curley is Mayor—he is anti-Curley. The majority in his district are anti-Curley, thank God. The same as the majority of Ward 5 are, thank God. Curley carried both their wards last year whether they know it or not. I just got a note which says "If Councilor Bayley of Ward 5 wants to save money for the city, why doesn't he ask the Mayor to knock his constable off?" That would be fine, to knock off his constable and put Sullivan's on. I don't see why we should not give this to Sullivan. As I said last week, I had a fellow for a job with 30 years' experience in the department, but a new man got the job. I didn't object to it, I just failed where the other fellow made good. He was on the ball and he got the job before I got on the ball. If I had been on the ball before he, I would have had the job because there was a vacancy there. When they started talking about saving the tax rate, something happened on Beacon Hill. A statement came down they want to charge 15 cents for the Boston Elevated fare, from somebody down in Wareham who does not have to pay the tax. I

don't think it was any Bostonian, I don't think it was anybody like the Mayor of Boston asking for a 15-cent fare for Boston. There has been a lot of bitterness in the last month and there will be a lot in the next ten months. If we introduced an order today to tax Harvard College, wouldn't you hear the gentleman from Ward 5 raise the roof, he wouldn't want the tax rate on Harvard College. We are only after a lousy, measly, councilor's job, and I hope to God we have sense enough to pass it and to give the job to the councilor from Ward 9 who has a vacancy.

President KELLY—The question comes on referring this matter to the Executive Session.

Coun. CHASE—Mr. President, the gentleman from East Boston (Councilor Coffey) contends I had a constable through my friends originally put on the public pay roll. May I remind you, sir, when I took office about ten years ago there was a gentleman from Ward 4 as a city constable. It was called to my attention, sir, that his name, with other names, was submitted before this Honorable Body. Naturally, I voted to go along with that constable and with the other constables, but I never asked his Honor Mayor Tobin or Mayor Kerrigan or Mayor Curley to appoint a constable for me. There was a constable, sir, at the beginning of last year who was submitted from Ward 4. I believe he worked about three weeks, up until the time I started to get out of line, and then when I took issue with Mayor Curley on some important municipal matter and did not go along with him, the man was discharged, and I was told, sir, by those who are apparently closer to Mayor Curley, that I could have this man replaced and put back on the public pay roll, but I would have to keep in line. I had my choice, sir, of either going along with Mr. Curley on matters of tremendous municipal importance and apparently against the welfare of the city in order to keep this constable or else I had the choice of voting the way my conscience dictated and not having the constable on the pay roll. Sir, I soon made up my mind and said I did not want any part or parcel of Jim Curley and his favorites, and I have been voting, sir, as my conscience has dictated to me, without any indirect pressure brought to bear on me because of some constable or some relative or some friend who is on the public pay roll because of my efforts. Sir, I think his Honor the Mayor in typical Curley fashion has shown once more that he does a lot of wild talking and promises a lot, but does not keep his promises. By that I mean, sir, when he had the audacity publicly to proclaim that there are too many constables on the public pay roll, and he went so far, sir, as to show how unnecessary they are, and that he proposed to do away with them all, and now, sir, you have just as many constables on the public pay roll as you ever had.

Coun. LINEHAN—Mr. President, I am sorry I don't agree with the gentleman from Ward 4 (Councilor Chase) relative to pressure being brought to bear in order to maintain your constables on the pay roll because I certainly have been against measures submitted here by his Honor the Mayor when I thought he was wrong, and I have not on any occasion since I have been back in the Council had his Honor the Mayor directly or indirectly threaten to take the so-called constable I sponsored off the pay roll. So I am kind of surprised to hear this has been done to the councilor from Ward 4 although he is a lawyer and should find out from his Honor the Mayor whether or not the Mayor wants this constable off the list. I don't take the word of any person who says he is close to his Honor the Mayor because there is so much plotting in politics, it might be a question of needing the gentleman from Ward 4. It seems to me if the gentleman from Ward 4 at least does not want to say, "I think this gentleman is a fit person for constable, and therefore I hope he is appointed if there is a vacancy and it should be filled." I don't think the gentleman from Ward 4 should leave an inference that all of us who do not get up are under the threat if we don't go along with the Mayor that we lose our constable. Because, as I said before, I have never on any occasion had the Mayor or any of the assistants down in his office even hint to take the so-called constable I received as political patronage away from me. Of course, as a matter of fact, he wouldn't be taking away from me, he would be taking the bread and butter away from the fellow and his wife and seven kids. I did not know that the constable of the gentleman

from Ward 4 was fired because of Councilor Chase's activities in the Council, or was it because he was not doing a good job for the city. If he was not doing a good job for the city he should have been fired. I think every councilor in this Body, to be fair to Councilor Chase, should not vote for the appointment of any constable until Councilor Chase has received his constable. That goes for the councilor from Ward 9 or any other councilor in this Body. I think it is only fair, regardless of whether the councilor is anti-administration or whether blue blood or Ward 4 or Ward 5. He is no different from any other member of this Body. That goes for the gentleman from Ward 5. I know his political philosophy is different, but I think the others coming from different sections should at least listen to him. We don't have to agree. If they do not attack us personally, certainly we should not attack them personally because of their stand. I am going to get up on every occasion when I see the President of this Body does not rule a councilor out of order when he is out of order. The President of this Body has permitted that to go on since the first of the year, and I don't think it is fair to the rest of us councilors. It is about time he got up on his feet and ruled them out of order, otherwise we are looking like a bunch of clowns. We have rules, and let us live up to them. I have fought since I have been here, I have fought four and one-half years, and I never had any occasion to abuse the rules, I don't think, and I think the City Councilors will agree I fight hard. I hope I fight clean. I think the gentlemen from Wards 4 and 5 have fought clean. They disagree with a great many of us in political philosophy, but again, sometimes, I wonder if they do. I find myself going along with them on economy measures, so what does that make me? I am not better than the gentleman from Ward 4 or the gentleman from Ward 5 in your eyes. If you want to abuse me, don't do it in the Council, you can see me outside of the room at any time. I don't think you should do it in this Council. If you don't do it to me when I am out here fighting his Honor the Mayor when I think he is wrong, why should you do it to the gentleman from Ward 4 and the gentleman from Ward 5? I don't think it is fair on the part of the councilors to listen to any member getting up and attacking another in the wrong way. It is not fair of the President of the Council to sit idly by and permit it. I think it is about time he ruled them out of order whenever they are out of order, and whatever is out of order should be stricken from the minutes. If it is out of order, it is out of order and deserves no place in the *City Record*. I certainly did not intend to get into this argument, it is picayune. It is the appointment of a constable. It has gone through the Committee on Constables and Confirmations, but just because it has gone through the committee, there is nothing in the rules that says this Body as a whole cannot ask to have it submitted to the Executive Session for action. That has been done on more than one occasion in other matters. What is wrong with that, if the gentleman from Ward 17 wants to do it? What of it? If he has a personal reason, that is his business. Those of us on the City Council who want to go along with him, that is our business. If we don't want to go along with him, that is our business. I say that I can vote along with the gentleman from Ward 17 if I so desire, and I have my reasons. I might think we did not need any more constables and so I would go along with the gentleman from Ward 4. I can well remember not long ago when I asked how many constables were on the pay roll. We were told they had to cut down seriously, and each City Councilor was given one constable instead of two. We all took it on the chin, and we got one job and that is all the job I got until luckily this week without any, you might say, going down the line for Mayor Curley I was very lucky to get an appointment for 90 days to fill a position that had to be filled. That is the total amount of patronage I have received. I believe some of the other City Councilors have gone down the line for Curley when they thought he was right on a great many occasions, and they thought he was right on more occasions than I did, but that is our business. We have the right to go down the line with Curley on every measure and we might do it sincerely. If we don't feel his measure is good, why hold it against us? I can't understand it. Why should you be mad at the so-called minority because the minority gets up once in

a while and at least expresses an opinion which they have in their minds? If the majority got the votes which they had all during 1946 up to 1947, I supposed there is no need to get up and talk because they have the votes. Those in the minority have fought and are keeping on fighting, a useless fight, probably, but on occasions we won out, and therefore I say our efforts were not entirely negligible. We do occasionally win a fight, but at least we get up here and say what we have the right to say, and we express what we think is right, whether the rest of the councilors agree with it or not. If the taxpayers know we are fighting for or against the measure, that is all right, too. It is up to the taxpayers to decide who is doing the right job or the wrong job, it is up to the constituents to decide when we come up for re-election. Some of us will be defeated and probably because we don't do a good job in the eyes of our constituents. If that is what it is, I hope they fire me if they think I am not doing a good job. If they think I will vote "yes, yes, yes" without fighting on every measure his Honor submits, whether appointments of constables or anything else, and they don't like it, I am sorry to say I will continue to do it for the next two years if we have this form of government. I am letting the councilors know if I get up here I am doing it because I think it is the right thing, and may I leave the impression that probably the councilors from Wards 4 and 5 think they are doing right when they fight for what they think is right? If the rest think we are fighting for what is wrong, why not get up like gentlemen without attacking us? Probably this is too much, Mr. President, but I hope the President of this Body gets on the job and from now on rules things out of order when they are out of order.

President KELLY—The question comes on referring this matter to the Executive Session.

Coun. BRYAN—Mr. President, as chairman of the Committee on Constables and Confirmations, the committee felt there was a vacancy, and the name of Mr. Daly was named as a substitute for the original man. We interrogated the young man and found him of outstanding character and fine qualities, and we brought back that report. Charles J. McGrath, another young man, submitted here, before he entered the service some years ago was constable. He has now returned from the service and he is only asking for his job back, so we also sent the name of Charles J. McGrath.

President KELLY—The question is on referring this matter to the Executive Session.

Coun. CHASE—Mr. President, I want to commend the gentleman from South Boston (Councilor Linehan) for the fair attitude he has taken in this matter. Sir, notwithstanding the fact that I appreciate his willingness to be of help to me if I saw fit to approve his Honor the Mayor's giving me a constable, I want him and the other members of the Council distinctly to understand I would not accept ten constables from his Honor the Mayor. I don't want any gratuities from his Honor the Mayor.

Coun. MUCHNICK—Mr. President, a point of order.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—While I am thoroughly in accord with Councilor Linehan and Councilor Chase in this matter, it seems to me that is not the subject of discussion right now.

President KELLY—The point of order is well taken. We are speaking on the subject of referring the name of Daniel J. Daly, as constable, to the Executive Committee.

Coun. CHASE—I was leading up to it, Mr. President.

President KELLY—All right.

Coun. CHASE—Mr. President, the reason why I don't feel that it is becoming for me to accept any gratuities from his Honor the Mayor is simply because his Honor the Mayor is that type of person who gives and then takes back.

Coun. KINSELLA—Mr. President, does the gentleman mean gratuity as a piece of patronage or something which must be given quietly and surreptitiously?

President KELLY—Councilor, will you answer that question?

Coun. CHASE—Mr. President, I don't think my statement is so ambiguous that the gentleman from Charlestown (Councilor Kinsella) did not understand what I was referring to. I don't

think it is necessary for me to give the gentleman from Charlestown an answer.

President KELLY—Councilor Chase.

Coun. CHASE—I merely state, sir, his Honor, in my opinion, is the type of person who gives and then takes back. Now, Mr. President, I frankly feel, sir, on consulting the City Charter that this privilege his Honor the Mayor extends to the City Councilors is a violation of the Charter because your City Charter distinctly says, sir, the Council shall have no part in the hiring or in the letting out of contracts; in the hiring of workers or the letting out of contracts. I think you will agree with me, sir, that if any of your councilors were to take part in the letting out of contracts either for themselves or for some other individual, that it would be a direct violation of the Charter, and I think in view of the Charter provisions as to the hiring of help, municipal help, that this privilege his Honor the Mayor gives to us is a direct violation of that. I think, sir, it would not stand in court if the issue were tried. I think, sir, that his Honor the Mayor in submitting a list of 40 constables to the City Council, 20 being his own personal followers, and the other 20 to the councilors, it is just a case of his Honor the Mayor scratching our backs and we in turn scratching his. I think, sir, it does not make for good government under these conditions because we cannot honestly look on any list of constables as submitted to us under those conditions in a fair manner and in a manner which is beneficial for the taxpayers because we are prejudiced, we have some selfish motive in view; in order for his Honor the Mayor to approve his twenty, we get twenty. I don't think, sir, that is the reason why we were sent here. I think, sir, we were sent here honestly to pass judgment on matters with a view of watching out for the City Treasury, with the view of watching out for the tax rate, and when his Honor the Mayor sends up his list of constables involving a pay roll of \$100,000, namely, \$50,000 for him and \$50,000 for the City Council, that is not something which is for the welfare of the taxpayers. It means an expenditure of \$100,000 which, as Mayor Curley said over at the Parker House, is nothing but a waste of the taxpayers' money. It is regrettable, sir, he did not live up to his promise made that day before us, and that he did not make any appointments of constables.

President KELLY—The question comes on referring the matter to the Executive Session.

Coun. KINSELLA—Mr. President, when I came into this Body in 1942 I had no prior knowledge or instruction in the art of acquiring constables. I seemed to inherit a few my predecessor had, and as time went on and I became acquainted with the situation, I enlarged on that number until at one point I had five men known as constables. In those days Mayor Tohin had 78 constables on the city list of which possibly thirty were in his own name and fifty or less of the others parceled out to the 22 councilors of the City of Boston. It was considered legitimate and no one of these councilors today who served under Maurice Tohin can recall any quarrel that went on as to the appointment of any constable regardless of who sponsored him. In 1945 Maurice Tohin became Governor of the Commonwealth, and left behind him the appointing power of 78 positions as constables, but John Kerrigan, went to civil service and was given permission to appoint 13 more, making a total of 91 constables. Check the record. And yet we fight in this Chamber today, the strongest and most enthusiastic supporters of John Kerrigan, criticizing Curley for having 60 or under.

Coun. MUCHNICK—Mr. President, a point of order.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—It seems to me Mayor Kerrigan's supporters and their reasons for supporting him are not the subject under discussion.

President KELLY—The question before us is referring this matter to the Executive Session. Councilor Kinsella was leading up to that matter. I hope he is.

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. MUCHNICK—Will you rule on that?

President KELLY—The Chair will rule he is leading up to the point. Councilor Kinsella.

Coun. KINSELLA—Mr. President, I don't have any personal ill will for any man in this

Body, and that means every one of the 21 others besides myself. If there is any man at any time who can advance a sound reason or a sound logical argument, I will support him because I am beholden to none of the others on the Body. So I can agree with Councilor Bayley that he has a right to be anti-administration, but there is a moral obligation on Councilor Bayley's part to make it plain to everyone why it is he is so consistently anti-administration. He must prove beyond all doubt not only to those of us here who would like at times to support him but to the people of Boston that everything Curley does is wrong, always had been wrong and always will be wrong.

Coun. BAYLEY—Mr. President.

President KELLY—Councilor Bayley, for what purpose does the gentleman rise?

Coun. BAYLEY—A point of order.

President KELLY—Will you state your point of order?

Coun. BAYLEY—I think the gentleman is out of order. I don't think the question of my being anti-administration, if I am, is under debate. The question is whether this will be referred to the Executive Committee.

Coun. KINSELLA—Mr. President, he described himself as anti-administration.

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. MUCHNICK—A point of order.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—Councilor Bayley's description of himself is not the present issue.

Coun. KINSELLA—Mr. President, Councilor Bayley offered the description of himself.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—When he offers it here, it is a subject of consideration while I am present. Curley does not own me, and never did, and I am one of the very few in this Body who can say I never voted for Curley when he ran for public office, nor do I claim today I voted for him in 1945.

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. KINSELLA—He is not as wrong as they make him out to be every Monday of the year.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—How the councilor has exercised his franchise in the voting booth is not under discussion now.

President KELLY—The Chair will rule he is leading up to the matter. Councilor Kinsella.

Coun. KINSELLA—Mr. President, the minority can plead dereliction because they are the self-styled minority. I suggest they examine their conscience and try to find out an excellent reason for the constant, persistent, vicious, bitter, acrimonious, anti attitude they take every Monday. I can respect their views. This is the place to debate this thing. We are taken over the coals every Tuesday for long-winded debates, but we have an excellent precedent for them. We had fist fights on the floor of the national Congress as recently as a month ago between Rankin and McCormick. We have had fights and insults in the august body of the U. S. Senate, and we see the UN in session at Lake Success fighting among themselves.

Coun. BAYLEY—I don't think the question of fist fights on the floor of Congress or the UN has anything to do with the appointment of constables.

President KELLY—In this debate every councilor has gone off the subject. The question before us is referring this matter to the Executive Session.

Coun. KINSELLA—I don't believe it should go to the Executive Session. Why go in there when every fellow with experience knows what is going to happen? Personally, I don't know of anyone's great desire to take a fellow member over the jumps every Monday. Mr. Chase can tell you of a legislative rule that ought to be enacted in this Body, a rule that forbids you to refer to anyone by name or by title unless quoting from a public document. But he can attack Curley or any mayor of this city or a person of equal integrity, a person who has to go to the same type of constituency, and he can question every motive of his in putting on a constable. Then we wonder at the negative editorials and the negative head-

lines. We have plenty of precedent for our conduct and we ought to cease to be ashamed of it. The Boston City Council on this day labored greatly and brought forth a constable. Mr. President, this is our business, and the gentlemen who tell you it is robbing the public are guilty of only a half truth. Everyone of these constables is provided for in the budget, and on the assumption we provide for a hundred of them—we know we don't provide for that many—ninety of the hundred are used, and when the tax rate is set on June 14 the salaries of the other ten will be in there and will play its part in determining the tax rate. We are not adding anything to the cost of the constablings of the city, and these men know that. As for the action of the committee, it is not too long ago that one of the two gentlemen on my right suggested if these committees were not going to function they ought to be abandoned. I said that here five years ago. I am in full accord with that. Now, the committee has functioned. It has done the sort of investigatory work they claim should be done on these individuals, luckless or otherwise, and their recommendations cannot be thwarted because of shallow and specious charges that the public is going to be mulcted to the extent of \$1,800 for one more constable. There is not a man in here, including the self-styled minority, that would not take the constable, that would not help somebody in their district if all the terms were favorable, if they were able to have him and still take the anti-administration, the negative attitude here every Monday. We have heard loose talk of gratuities, and that is off the subject, I suppose, although it was part of the statement made by somebody who had a good deal to do with keeping this discussion alive. Gratuities. I wonder what he means by gratuities. There are a lot of common terms in this business. There is patronage, there is gratuity, there is perquisite, there is emolument, and they all mean the same. They wind up under the blanket heading of a favor, and we discussed that at length last Monday. I don't know why anyone should raise any opposition to the confirmation of Daly or anyone else whose name is submitted here. It is an obligation Sullivan undoubtedly feels he owes the fellow, and he abided by the decision of this Body and sent the name to Walter Bryan's committee. Bryan functioned as the gentleman on my right said no committee functioned, and he came out with a report which simply said that the gentleman bore out well under investigation and, therefore, it was the considered opinion of the committee that the whole Body should confirm the appointment. Mr. Chase has bad experience with me in the past when I got up and supported things that did not pass, but supported them because I liked the spirit in which he submitted them, I liked the meat of the subject he placed under consideration before the Body. I then was on the losing side with the others. I would do as much for Mr. Bayley. I have nothing but a static feeling on the personal side for every member of this Body but, my God Almighty, it taxes the imagination, it taxes your credulity to think every Monday from January 1 to December 31, and then starting all over again the next year, that everything Curley does is wrong. It is impossible for the man to be wrong so much, it is impossible to stigmatize or find fault with a councillor who comes from a poor man's district like Sullivan does, when he comes in here and says, "I am asking your approval of a job for a fellow who needs it." Now, the committee has not only examined him but say they want him, and so has the press and so has everyone in the gallery, and Daly is probably saying, "Why did I ever go after that, to become a political football for \$34 a week?" The Council labored and brought forth a constable. That is the best we can say for ourselves when the thing should have been given perfunctory approval one hour ago, and we might well have been on toward the completion of more important city-wide business. I don't know whether I can plead with good common sense, a thing we are all possessed of, to forget the matter now by voting it in or out, and getting along to the things that are nearer and dearer to the hearts of the experts, the commercial business aspects of the city, and never mind human, personal services. I think myself I would settle any time to do a personal favor. The city took good care of itself before we ever heard of it, and it will take excellent care of itself after we are gone, and while we are here in the interim between what the city wants and what it will be, we won't do too much to hurt it. No one ever walked out of this Chamber

on a Monday night conscience stricken because he had not cast the right vote, but probably at the moment his black heart told him it was not the right vote to cast, and I don't refer to the present personnel of the Council, I am referring to any man who ever served. No one ever took it so seriously that they lost a night's sleep. I hope this does not go to the Executive Session, Mr. President, and I hope we settle it here and now forthwith, once and for all.

President KELLY—The question comes on referring this matter to the Executive Session.

Coun. CHASE—Mr. President, I have no doubt most of the councilors here know what particular type of work their particular constables are doing, but I have great doubt, sir, whether we here know what constables put on the pay roll by his Honor the Mayor are doing. I have heard many stories, sir, not so long ago, to the effect that a couple of the Mayor's appointees, some of his constables, while drawing their public pay roll only report once or twice a week. I have heard the story, sir, that some of the constables somehow, even though they only hold \$38 a week jobs are down in Florida. I don't know how true that is, but the fact is, sir, neither does any other councilor know. You may know where your constables are, but you don't know where his Honor the Mayor's are. I don't think it is right, sir, because he probably has 25 constables on the pay roll and they are drawing down an average of \$2,000 a year, and that is \$50,000 a year. For what? Because they happened to support him for Mayor. What kind of duties are they performing? Are they coming in once a week to collect the \$40 a week, or is the City Treasurer mailing the check to them? Occasionally they report to the Mayor's office and say, "Hello, Jim." I don't know, but I do realize this, there has been considerable criticism about the constables in the City of Boston who are maintained at an expense of about \$100,000 a year by the taxpayers. So, sir, that is the reason why I took the attitude that I don't want any gratuities from his Honor the Mayor.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muebnick, for what purpose does the gentleman rise?

Coun. MUCHNICK—A point of order.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—It seems to me it comes within the rules to rule out of order anyone who speaks repetitiously on the same subject.

President KELLY—That is right.

Coun. MUCHNICK—And so repetitiously.

President KELLY—The question is on the motion to refer this matter to the Executive Session. All those in favor say "aye," those opposed, "no." The Chair is in doubt. Those in favor of referring to the Executive Session will please rise. Three. Those opposed will please rise. The motion is lost, 9 to 3.

Coun. BAYLEY—I ask for a roll call.

President KELLY—Councilor Bayley doubts the vote and asks for a roll call, and a sufficient number joining him, the clerk will call the roll.

The motion to refer the appointment to the Executive Committee was lost, yeas 3, nays 8:

Yeas—Councilors Bayley, Chase, Keenan—3.

Nays—Councilors Bryan, Coffey, Hurley, Kelly, Kinsella, Lane, McCormack, Sullivan—8.

Present—Councilors Cook, Hannon, Linchan, Muchnick—4.

President KELLY—The motion now is on confirmation, and the Chair will appoint Councilors McCormack and Kinsella to receive, sort and count the ballots.

Coun. MUCHNICK—Mr. President.

President KELLY—I am sorry, a vote is in progress, Councilor Muchnick.

The appointment of Daniel J. Daly as constable was confirmed, yeas 10, nays 3.

President KELLY—The Chair might make the statement we have several matters in the Executive Session. What is the pleasure of the Body? Do you want to continue with the orders?

Coun. COFFEY—I move we go into Executive Session.

President KELLY—Councilor Coffey moves we go into Executive Session. All those in favor, say "aye," those opposed, "no." The Chair will ask for a rising vote. Those in favor of the Executive Session, please rise. Those opposed. It is not a vote, and the motion is lost.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Report on petition of Walter M. McDonough Company (referred today) for driveway opening at 708 Columbia road—recommending that permit be granted.

Report accepted; permit granted under usual conditions.

TYLER STREET BRANCH LIBRARY.

Coun. COFFEY, for Councilor Russo, offered the following:

Ordered, That the Trustees of the Boston Public Library be requested to reopen the Tyler Street Branch Library in Ward 5.

Ordered, That the Public Buildings Commissioner be requested, through his Honor the Mayor, to put in first-class condition a part of the Municipal Building on Tyler street for use as a branch public library.

Severally passed under suspension of the rules.

PAYMENT OF DIVIDENDS BY ELEVATED.

Coun. MUCHNICK, COOK and KEENAN offered the following:

Ordered, That the Corporation Counsel be requested by his Honor the Mayor to investigate the possibility of invalidating the present requirement which compels the Boston Elevated Railway Company to pay a guaranteed dividend to stockholders regardless of earnings.

Coun. MUCHNICK—Mr. President, as a lawyer I feel that the present Act probably is safe and that the stockholders of the Boston Elevated Railway are going to receive their guaranteed dividends. It seems to me very much in the public interest that the Law Department make an exhaustive examination of the law in this and other jurisdictions to see if there is any way in which that particular section of the Act can be invalidated. It seems very unfair that the people of Boston and the other surrounding cities and towns should have around their necks at all times the obligation to pay dividends to stockholders of a company which has continuously run in the red. I feel, and those who join in the order with me feel, that perhaps a further examination of the law might result in some way of finding relief for the public. Several weeks ago I suggested the Elevated conduct a scientific survey to see by means of that survey if they could eliminate waste and extravagance, if any were found to exist. In this morning's *Post*, there is an excellent editorial, the last paragraph of which I would like to read into the record. The same thing is again suggested, and I would like to quote from the editorial before I conclude.

"All the legislative wrangling is pointless without a few basic facts. What, for example, is the unit cost to each rider of the Elevated service? This can only be determined by fair valuation of all the physical properties of the EL, plus the operating cost, plus creation of cash reserves for maintenance and replacement and extension, divided by the number of passengers who ride the EL annually. If it is first determined by impartial auditors that a 10-cent fare will not pay the cost of running the EL, we should know what it does cost and how much each citizen pays in hidden taxes over and above the 10-cent fare charged the riders."

It seems to me if that impartial audit were obtained, and if a scientific survey were obtained, we might go a long distance toward finding out what the real ills are, and until we get, as the paper says, at the basic facts, there is not too much point in all the fuss that has been made in the last few days.

Coun. COOK—Mr. President, I move to amend the order by asking the Corporation Counsel to explain fully the powers the City Council has under the General Laws, chapter 160, section 2.

President KELLY—Councilor Cook moves to amend the order. The question first comes on the amendment. Councilor Cook.

Coun. COOK—Mr. President, in reading chapter 160, section 2, which relates to railroads, the statute says that the City Council of the City of Boston has powers in original jurisdiction, except as otherwise provided, to rule upon the operation, maintenance and management of railroads. I

would like the Corporation Counsel to explain that fully to us so that we may take such steps as might be advisable to correct the impending rise in rates of the Boston Elevated Railway, and that rise in rates seems to be the culmination of a well thought-out plan by those who do not have the interests of the citizens of the City of Boston at heart, but the interest of the stockholders, the majority of whom do not come from the City of Boston, perhaps, as the councilor from Ward 14 said, these stockholders don't even live in the Commonwealth of Massachusetts. What brought this forcibly to the attention of the City of Boston is the statement allegedly reported in the Boston *Herald* by the President of the Senate who said in argument against public ownership of the line, and I quote, "Why should people in Pittsfield and Wareham help pay for transportation in Boston? Let the people who ride the EL pay for it." What a provincial, middle age, isolationist attitude, the same attitude that caused that vicious Act in 1918 which foisted upon the public the permanent guaranteed dividends to stockholders of the Boston Elevated whether there was money to pay the dividends or not. We recently had a meeting which was attended by the general manager, and the general manager upon questioning by the councilor from Ward 4 said they spent \$2,000,000 on new equipment, new cars. Of course, the purpose of that was to build up the stock and the appraisal value of the Boston Elevated Railway so that the stock price, share price, would remain high in the event the State took it over or had to take it by eminent domain or condemnation. In answering this argument from the President of the Senate, we learn of the peculiar psychology that has created most of the laws of the City of Boston, the out-of-town view that so long as the out-of-town people, and I don't believe he really represents them, don't have to pay much, so long as the City of Boston carries the burden, why help the City of Boston, and there is the fact that there are zone rates for insurance on automobiles. If we had a flat rate, everybody in the State would probably pay between \$20 and \$25. Instead of that the man from way out in the sticks, so-called, pays his \$20 and says, "Let Boston pay \$90 or more." In answer to the argument, why should the people in Pittsfield and Wareham pay for transportation, what would be say if we had the power, and that is why I ask the opinion, to put turnstiles in the South Station and the North Station and charge every commuter who comes in to drop ten cents in the turnstiles. Our city has been called the Hub, but shall we prevent people from out of the city from using our city hospitals? Shall we prevent them from coming into the public libraries or schools? Shall we say the City of Boston shall be Santa Claus? It seems to me the men in the Legislature think so, but then, when the City of Boston asks for the relief that they are entitled to, they immediately come back with cries of economy and graft. Why, you can find more graft in that public Elevated bill than you can find in 25 years' rule in the City of Boston. It is the people who did not live in the City of Boston who put it on us, and it is about time that it was publicized to the residents of Boston and those from outside the City of Boston, that what helps Boston helps the State and what hurts Boston hurts the State. If they want to share the wealth and the honor and the culture that comes in the City of Boston, they must be ready to help out in the burden. I think if we can find we have power to act, and if the Legislature does not help us so that we don't have this unwarranted rise, and I say unwarranted, because the Attorney General's office and the Auditor's office are having the Boston Elevated books for audit to prove their so-called deficits are false figures; if we investigate carefully and find out about their salaries and their purchases and about what they call depreciation, I think the Supreme Court in the last analysis will say the Boston Elevated so far as it can see has been run for the benefit of the stockholders and not for the public, that their figures are lies. The only reason for bringing this up here is in the hope that this publicity will show how the Commonwealth of Massachusetts depends upon the success of Boston, and the success of Boston is hindered and hurt by these snide remarks of the senator who is President of the Senate, who comes from without the City of Boston and who would have no compunctions about putting more burdens on the City of Boston. I hope we can get some good opinion from the Corporation Counsel and then we can take action upon it.

President KELLY—Does Councilor Muchnick accept the amendment?

Coun. MUCHNICK—Oh, yes.

President KELLY—The question comes on the amendment.

Coun. LINEHAN—Mr. President, I can well remember several weeks ago when we had the General Manager of the Boston Elevated before us. He agreed with us at that time in addition to those on the committee and in addition to those invited by the committee to attend the meeting, if the five-cent fare were put up to ten cents that would do away with the necessity of raising the fares in the so-called zone system from ten cents to fifteen cents which I suggested along with another councilor, in reference to charging people receiving a long ride a charge of fifteen cents and those having a half mile to a mile ride five cents. It was agreed if the fares were ten cents, there would not be any necessity of raising the fare higher than that. I can't possibly see why this suggestion was made by the gentleman from Wareham, the senator who happens to be the President of the Senate, saying to raise the fares to fifteen cents. It reminds me of several months ago when we had many of our business executives come before us and ask us to vote \$5,000,000 for off-street parking with the threat from gentlemen also outside of Boston who said if Boston did not try to take care of itself and vote the \$5,000,000 the chances were the State would not do anything for Boston. Lo and behold, we voted for the \$5,000,000, and now we hear the President of the Senate wants to raise the fares of the Boston Elevated to fifteen cents. Are the members of the Legislature sincere when they say if Boston tries to help itself a little bit, we will help them later on in the Legislature. Of course, this is later on in the Legislature, the year 1947 is in session, but here we find a leading Republican of the State Legislature saying in effect that the cornerstone of our economic arch which is Boston is not the cornerstone of our economic arch. I suppose that is what he means, but it seems to me what he means is, soak Boston taxpayers more and more, it will help those outside Boston. If he represents the brains of the Republican party, I am sorry to say the City of Boston which has many Republicans carrying on business here certainly is not going to get much help from the Legislature which has saddled Boston with many debts over a period of years. There are many of us who served in the Legislature who realize that the members from Boston only number about 40-odd representatives on Beacon Hill out of a number of 240 in the House, in the Senate about 18, I think, out of 40 senators. From Boston there are about three or four senators, so there is the answer as the gentleman from Wareham says, what do we care about Boston. We are not going to do anything for Boston which is going to cost our district one penny. I might say in deference to him, one of the ablest Republican legislators on Beacon Hill, one of the smartest legislators on Beacon Hill and generally a very good businessman—he represents business interests pretty well—but unfortunately when it comes to adding a little burden onto the taxpayers down on the Cape of which he only represents a few thousand probably 25,000, he says, "Well, I am going to protect those 25,000 taxpayers down there against the thousands upon thousands of taxpayers in Boston." But he suggests one thing: that it is not only the little property owner in Boston looking for help, it is the big businessman and the many people who work in the city who do not reside in Boston. I said earlier many of the businessmen in Boston did not come from Boston, but if the Boston tax rate is lowered because of the action of the Legislature which I am sorry to say I don't think it will be, it means those people outside of Boston of necessity will receive more, so that if they give us some benefit we will have more business in Boston and the businessmen who do their business in Boston will get the benefit of it. So the Republican Senator from Wareham is wrong when he says only the people of Boston receive the benefit if the City of Boston gets some assistance from the State. The City of Boston is not looking for any charity from the State Legislature, they are just asking for a fair deal. But if that is a fair criterion of what treatment Boston is going to get from the Legislature this year, I am very sorry to say we will probably be getting an amount which is nil; that is to say nothing. Several past years other than last year we did get a small contribution for

the deficit of the Sumner Tunnel but we won't get that this year because the Sumner Tunnel ran at a profit last year, so that I don't think the city is going to get much help from the Republican-dominated Legislature, and I say that because I cited earlier that out of 240 representatives I think they have about 95 Democrats. In the Senate we have about 17 or 18 Democrats or less than that, I think, against 23 or 24 Republicans. So if the Republican party, with its head, Governor Bradford, actually wanted to do something for Boston, they have the votes, they could do it, and they know full well that Boston needs help. I don't mean just to the small property owner, I mean the big businessman, because he is paying not only the \$40 or \$45 tax rate per thousand, but he owns large parcels of property which are taxed and, therefore, it is the big businessman who will ultimately get the big relief. But the gentleman from Wareham says, "I am watching for my little Cape Cod house owners in Wareham rather than the big business property owners in Boston." I hope the Boston Elevated Trustees don't see eye eye with him and raise the fares to fifteen cents because if they do, God help them, I think in the long run they will lose money, I think it will be poor business practice. I hope the trustees don't go along with Senator Nicholson from the Cape.

Coun. KINSELLA—Mr. President, just very briefly on this. Mr. President, I am surprised that Mr. Nicholson would say what he is quoted as saying in the papers this morning. He is usually a little more astute on subjects of this importance. It is not so long ago Mr. Nicholson and Republican leaders on Beacon Hill were saying that Boston was the centre of the Commonwealth and a good deal of New England, and what might happen to Boston might happen to Massachusetts and New England, when they were discussing the millions for improvement for the airport and the port of Boston. It seems now rather strange that such a well-informed man as Mr. Nicholson is, and such a public-spirited gentleman as the senator from Wareham is, would get up and recommend the 15-cent fare for the Boston people, predicated on the theory that as long as the Boston people alone use the service, or those in what I like to call the "deficit area," they should be held responsible for it. It is an unusual thing to hear men of his calibre say that. However, we all know from a rather perfunctory survey of the facts, this all springs back to the 1941 payment on the deficit for the year 1940 which was held up and has since been held up to the extent of \$3,600,000. Mr. Dana was here at the hearing before the Public Safety Committee, and he said he thought the court's decision was going to be rendered in favor of the Elevated, to be allowed to take that \$3,600,000. Apparently the decision was rendered favorably, and now they are forced to the necessity of borrowing money and I understand the interest on it is going to be allocated to the 14 cities and towns in the metropolitan district. I believe I read some figures very lately that there were 238,000 stockholders in the Elevated. We know by the Public Control Act of 1918 they are guaranteed \$5 annually per share of stock. We know also, as do the attorneys facing me across the room, that the Supreme Court has ruled the whole Public Control Act as constitutional, and while I agree 100 per cent and more, if possible, with Councilors Muchnick and Cook, I don't see where the Boston City Council can step in justifiably and ask for a legal opinion seeking to rescind that portion of the Act by which the \$5 a year is paid on each share of stock and guaranteed. It is not a fluctuating dividend. The Public Control Act has been in effect something like 28 years, from 1918 up to the present time, and one lady in particular, known to be the largest stockholder, has in that time on 1,500 shares of stock been given annually \$7,500 earnings, and for 28 years it means the staggering total of \$210,000 to just one person. That all comes out of public money. It all came out of public money. Personally, I don't think there is anybody in this city that could ever prove the intricacies of the bookkeeping system and place his finger squarely on the cause of this trouble. We know the Elevated system has been operated at a reported deficit for all but two years of the Public Control Act. We know that because every year it is an absolute necessity for the 14 cities and towns to contribute to the total deficit. This year surprisingly enough a court ruling which was favorable to the Elevated resulted in a deficit

of something like \$738,000 or \$758,000 being reported because of the court ruling certain taxes on their properties need not be paid. Now, what authority we have in the matter I don't think can be determined readily in here. I don't think it is anything we ought to ask the Law Department to determine for us. I think of ourselves even a quick perusal of the Public Control Act will show we are stripped of all authority, we have no power. All we have is the privilege to talk about it here and make no progress as on many other things of which we talk. While I heartily sympathize with the contents of the order and feel we ought to find means by which the Elevated could be put on a paying basis in the interest of all concerned, I don't think the Chamber of the Boston City Council is the place to talk about techniques or technicalities. In 1939, Mr. President, the Finance Commission of this city encouraged the Council to appropriate \$70,000 for a survey conducted by the late Timothy Callahan in conjunction with James Kelleher, now Assistant Corporation Counsel, and the report was issued in the spring of 1941, two years later. On the strength of that report, Governor Tobin, then Mayor Tobin, asked that Governor Saltonstall refuse to permit the payment of the deficit of 1940 in the year 1941. I asked Mr. Tobin with whom I was not then friendly—that is the spring of 1941, please remember—I asked Mr. Tobin in the presence of a hundred odd members of the Legislature at the Parker House there to encourage some phase of the vehicular highway. I said, "In 1938 you paid the 1937 deficit?" He said, "Yes." I said, "In 1939 you paid the 1938?" "Sure." I said, "In 1940 you paid the 1939?" "Sure." "Now, in 1941, you are holding up the payment of the 1940 deficit. Is that because next November you are seeking re-election?" I frankly tell you now I was not friendly with the gentleman at the time, so I embarrassed him no end by these pointed questions. And instead of answering me he simply looked at his wrist watch and said, "It is five minutes of two, and we know you don't want to be late for the two o'clock session. There will be more of these luncheons." He thanked us for attending, and that broke up the meeting. Since 1941 that \$3,600,000 has been lying idle in the custody of the Governor's Council, and the lack of the payment of 1941, six years ago, is responsible for the present plight of the Elevated. They have been leading a hand-to-mouth existence because they knew that all operating expenses, all salaries, all maintenance costs, and all premiums on stocks and bonds would be paid out of the pockets of the riding public of the metropolitan transit area. With a guaranty such as contained in the 1918 Public Control Act, and please remember it was certified as constitutional, how could you expect those men to break their necks and be efficient operators of the system when everything was guaranteed out of the public funds of 14 cities and towns? For the third time, I would like to say I would like to commend Councilors Cook and Muchnick for putting in such a straightforward order. I also say to both gentlemen, and while we have talked about this, and I was as guilty as anyone else, talking in this Chamber endlessly, the fact remains there is no way we can rescind that portion of the Act by which the \$5 annual dividend of that stock has been guaranteed since the Act is and has been almost a generation constitutional. Unless we find some way out of the mess we are going to go from the frying pan into the fire. I sincerely hope some man of discernment in this city can find out what the trouble is and can give us service for which we have been paying for 30 years and which we have not received.

The order as amended was passed under suspension of the rules.

APPOINTMENT OF TEMPORARY CHAIRMAN OF EXECUTIVE COMMITTEE.

President KELLY—At this time the Chair will appoint Councilor McCormack as temporary chairman of the Executive Committee. Councilor Muchnick.

Coun. MUCHNICK—I was going to make a motion, but I won't make it now.

RECESS.

On motion of Councilor Bryan, the Council voted at 4.20 p. m. to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 5.20 p. m.

HANDBALL COURTS NEAR CARSON BEACH BATH HOUSE.

The following was received:

City of Boston,
Office of the Mayor, February 11, 1947.
To the City Council.
Gentlemen,—I transmit herewith communication from the Park Commissioner, relative to your order of February 3, 1947, concerning the construction of two handball courts adjacent to the Carson Beach Bath House.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Park Department, February 7, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of February 5, with inclosure, order from the City Council requesting the Park Commissioner to construct two handball courts adjacent to the Carson Beach Bath House.

Please be assured every consideration will be given to this order. Unfortunately I do not think it is possible to construct two handball courts next to the Carson Beach Bath House, but I do think it is possible to construct two in the area directly across from the Bath House. I will be pleased to furnish a further report at a later date.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

TRAFFIC LIGHTS, KNEELAND STREET AND HARRISON AVENUE.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of the Boston Traffic Commission, relative to your order of January 27, 1947, concerning the installation of traffic signal lights at the intersection of Kneeland street and Harrison avenue, Ward 3.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Traffic Commission, February 11, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—This is in reply to Council order dated January 27, 1947, which reads as follows:

Ordered, That the Traffic Commissioner be instructed, through his Honor the Mayor, to install traffic signal lights at the intersection of Kneeland street and Harrison avenue, Ward 3.

There are no funds available at this time for the installation of traffic signals which are not already encumbered.

Very truly yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

MICHELANGELO SCHOOL IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, February 15, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Superintendent of Construction, Department of School Buildings, relative to your order of February 3, 1947, concerning the improving and repairing of the gymnasium and main auditorium of the Michelangelo School, Ward 3.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Department of School Buildings,
February 12, 1947.

Mr. John B. Kelly,
Acting Mayor of Boston.

My dear Acting Mayor,—Concerning City Council order, February 3, 1947, requesting the Commissioners of School Buildings to make major improvements and repairs to the gymnasium and main auditorium of the Michelangelo School, Ward 3 (subject of your form letter to me dated February 5), for consideration and report, please be informed that this department plans to do considerable work in the Michelangelo School during the year 1947, which will principally be in the nature of painting in the gymnasium and auditorium and might be considered a major improvement.

You should know that the expenditures in this school last year were \$4,735.16 which is 28 per cent above the average expended last year in other schools in the system.

Very truly yours,
JAMES H. MOONEY,
Superintendent of Construction.

Placed on file.

CLEANING OF WARD 17 STREETS.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, relative to your order dated February 5, 1947, concerning the cleaning up of sand and dirt on the streets of Ward 17.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Public Works Department,
February 11, 1947.

To J. Joseph Connors, Chief Clerk, Mayor's Office.
From Robert P. Curley, Commissioner, Public Works Department.

Subject: Order in Council, February 5, 1947.

Receipt is acknowledged of your memorandum of February 5, attaching order in Council as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to clean up the sand and other dirt on the streets of Ward 17."

At the present time, thirty men and five trucks are working every day cleaning the streets of Ward 17.

On account of the large quantity of sand spread on these streets when icy conditions existed, and the accumulation of other dirt, it will take several weeks to thoroughly clean this area.

ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

RESURFACING OF WASHINGTON STREET, WEST ROXBURY.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, relative to your order of February 3, 1947, concerning the construction of new sidewalks and the resurfacing with smooth paving of Washington street, from Corinth street to the West Roxbury Parkway.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Public Works Department,
February 12, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works construct new sidewalks and resurface with smooth paving on Washington street, from Corinth street to the West Roxbury Parkway, and this will

advise you that this street will be put on the list to be given consideration during the 1947 construction season.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.
Placed on file.

TRAFFIC LIGHTS, D STREET AND OLD COLONY AVENUE.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Traffic Commissioner, relative to your order of January 27, 1947, concerning the regulation of traffic lights at D street and Old Colony avenue, Ward 7.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Traffic Commission, February 11, 1947.
Hon. James M. Curley,
Mayor of Boston.

* Dear Mr. Mayor,—This is in reply to Council Order dated January 27, 1947, which reads as follows:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to regulate the existing traffic lights at D street and Old Colony avenue, Ward 7, so as to provide a 12-second interval for pedestrians to cross this dangerous intersection.

Investigation discloses that there are comparatively few pedestrians crossing at this intersection; that most of the movements are straight and that even without the pedestrian interval there is a good opportunity for crossing D street or Old Colony avenue providing the pedestrian crosses with the green.

To put in a 12-second pedestrian period at this intersection would seriously interfere with the traffic movement particularly during the rush hours on Old Colony avenue.

Very truly yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

RESURFACING OF CERTAIN WARD 12 STREETS.

The following was received:

City of Boston,
Office of the Mayor, February 17, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of February 3, 1947, concerning the resurfacing with granolithic pavement of the following-named streets in Ward 12: Cliff street, Copeland street, Crawford street.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Public Works Department,
February 12, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works resurface with granolithic pavement the following-named streets in Ward 12: Cliff street, Copeland street, Crawford street.

Please be advised that these streets will be put on the list to be given consideration during the 1947 construction season.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.
Placed on file.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred February 10) for appropriation of \$27,000 for administrative expenses in conne-

tion with United States Savings Bond Allotment Plan—that same ought to pass.

The report was accepted, and the order was passed, yeas 13, nays 0.

Yeas—Councilors Bayley, Bryan, Chase, Coffey, Cook, Hannon, Keenan, Kelly, Kinsella, Lane, McCormack, Muchnick, Sullivan—13.

Nays—0.

2. Report on petition of Margaret F. Harrington (referred February 5) to be paid annuity on account of death of husband, James C. Harrington, late member of Fire Department—recommending passage of accompanying order, viz.:

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws, an annuity of one thousand dollars he allowed and paid to Margaret F. Harrington, widow of James C. Harrington, a member of the Fire Department who died on January 13, 1945, 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 January 13, 1945, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

The report was accepted and the order was passed.

PETITION OF BOSTON WATERWAYS, INC.

Coun. MUCHNICK—Mr. President, if I am in order at this time I move the petition of the Boston Waterways he taken from the committee and acted on.

President KELLY—Councilor Muchnick moves that the petition of the Boston Waterways be taken from the Committee on Licenses and he acted upon.

Coun. MUCHNICK—The reason for making this motion is that three weeks ago when this was referred back to the committee it was stated at that time, if my memory serves me correctly, by the chairman of the committee that within one week there would be a report back to this Body and that there would be a hearing on it that week. It is my understanding that there has been a hearing and that certain conditions that were imposed on the petitioner have been complied with by the petitioner and there still has been no action. In view of that, it seems only fair that the matter come back before the Body now and that the petitioner be informed whether he will get his license or not.

President KELLY—Councilor Coffey, talking on the motion.

Coun. COFFEY—It was not stated it would be reported back here or that action would be taken upon it immediately. The statement was made by me that the hearing would be held the same week that the petition was referred to the Committee on Licenses. We held a hearing that week which was on Friday. At the request of one of the committee members we asked that a survey be made of the Sumner Tunnel as to the number of taxis using the tunnel on certain days of the week. That survey was made and a report sent back to the Council here, and the Clerk informed me last Monday that I as chairman of the committee would receive the report some day last week which was, as it turned out to be, last Wednesday. On top of that I received a letter from Mr. Fairbanks stating that he had written a letter to the Legislature asking to withdraw a bill he had filed giving the Department of Public Utilities sole control over waterways in Massachusetts or any port in any part of Massachusetts and the East Boston airport. In the letter Mr. Fairbanks stated that Mrs. Cutler, chairman of the committee, is going to ask the committee to recommend leave to withdraw the bill. Now, we come up to today, the only day any action could be taken. Four of the committee members I polled today have voted the matter should lay on the table for at least another week. If the gentlemen as a whole want to take the matter from the committee, that is up to them, but at the present time I have been able to poll four of the committee and those four have recommended that the petition stay on the table, that is, before the Committee on Licenses for at least another week.

President KELLY—The question is on the motion to take from the committee. All those in favor will please rise. It is not a vote. It takes 15 votes to take from the committee.

Coun. COOK—Mr. President, a point of information.

President KELLY—Will you state your point of information?

Coun. COOK—Within 30 days or 60 days?

President KELLY—The petition has been before the Committee on Licenses since January 27, and it takes 15 votes.

Coun. SULLIVAN—Mr. President.

President KELLY—Councilor Sullivan.

Coun. BAYLEY—Mr. President, a point of order.

President KELLY—Councilor Sullivan is recognized.

Coun. BAYLEY—Mr. President, a point of order.

Coun. SULLIVAN—Mr. President, I move when we adjourn we adjourn for two weeks from today.

Coun. BAYLEY—A point of order, Mr. President.

President KELLY—Will you state your point of order?

Coun. BAYLEY—This petition of the Boston Waterways was referred to the Committee on Licenses back in December, 1946, at least two months ago when it originally came in; therefore, it does not require 15 votes.

President KELLY—The Chair rules 15 votes—

Coun. BAYLEY—You ruled it was referred less than a month ago. Was it not first referred back in December, 1946?

President KELLY—The latest reference to the committee was January 27, and that would require 15 votes to remove it.

Coun. BAYLEY—The first reference does not count?

President KELLY—That is right.

Later in the session Coun. COOK said—Mr. President.

President KELLY—Councilor Cook.

Coun. COOK—A point of parliamentary inquiry about your ruling and where it is taken from, referring back to the committee after it has come out from the committee and been adopted. I don't think the President is correct in the ruling, that the Waterways petition is not 30 days now because it has been referred back within 30 days to the Committee on Licenses. I would like to be informed as to the authority.

President KELLY—One minute now, councilor. Rule 14, page 4, the first paragraph, "If within 30 days the matter referred to committee is not reported upon, it may be recalled by a two-thirds vote of all the members." Rule 14, page 4, first paragraph, councilor. Last paragraph in Rule 14, the first paragraph on the fourth page.

Coun. COOK—Do I understand, Mr. President, your ruling on that provides when a committee has had it and it comes out to Executive and is referred back?

President KELLY—The Chair rules the last time it was referred to the Committee on Licenses was January 27, councilor, and the time does not start until it is referred to any committee.

THE NEXT MEETING.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Sullivan was recognized.

Coun. SULLIVAN—I move that when we adjourn we adjourn for two weeks from today.

President KELLY—Councilor Sullivan moves that when we adjourn we adjourn to meet two weeks from today. All those in favor say aye—

Coun. BAYLEY—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. BAYLEY—Speaking on the motion. Is there a holiday coming up next week, or what is the reason we do not meet next week?

President KELLY—The gentleman does not have to explain why he made the motion. He made the motion we adjourn to two weeks from today.

Coun. MUCHNICK—Mr. President, while it is true the gentleman does not have to give the reason, I would like to ask him through the Chair if he would give his reason.

Coun. SULLIVAN—The Mayor being away, and there being before the body no official city business.

Coun. MUCHNICK—It seems to me, Mr. President, the Mayor was away today but we have

under the law a provision for an acting Mayor, and it seems to me, further, there is plenty of city business which was discussed here today, particularly in the Executive Session. Under those circumstances and the reason given by the moving party, I suggest the motion be defeated.

President KELLY—Councilor Sullivan makes the motion that when we adjourn we adjourn until two weeks from today.

Coun. CHASE—Mr. President, I would like to know through you how much business we have pending in the Executive Session?

President KELLY—Nothing pressing of importance in the Executive Session, councilor.

Coun. CHASE—Would you enlighten me, sir, as to just what is pending in the Executive Session?

President KELLY—We will find out. The only thing in there is the Transit Board Order, councilor, and the sale of land on Chestnut Hill on which the Executive Committee will hold a public hearing.

Coun. KINSELLA—I would like unanimous consent to make a brief statement.

President KELLY—There is a motion before the Body.

Coun. KINSELLA—I am sorry, I withdraw the request.

Coun. BAYLEY—Mr. President, I hope this motion will not prevail, and that we will meet next week. I understand there is no holiday and I see no reason for not meeting next Monday when we have matters before the committee and when we may be able to act at that time on the petition of the Boston Waterways.

President KELLY—The question is on the motion that when we adjourn we adjourn until two weeks from today. All those in favor —

Coun. CHASE—Mr. President —

President KELLY—Councilor Chace.

Coun. CHASE—Mr. President, I see no good reason why this Council should adjourn for two weeks. We have actually pending business in Executive Session. We have the Waterways pending, and who knows, an awful lot may happen within the next week. The mere fact that his Honor the Mayor is on vacation does not necessarily mean we should take a vacation. I think, sir, in view of the fact that we have pending matters before this Body we should meet next week, and I urge the Council not to go along on the adjournment.

President KELLY—Councilor Sullivan made a motion that when we adjourn we adjourn for two weeks from today. All those in favor say aye, those opposed, no. The Chair is in doubt, and asks for standing vote. All those in favor, please rise. Please rise, that when we adjourn we adjourn until two weeks from today. Those opposed. It is not a vote.

STATEMENT BY COUNCILOR KINSELLA.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—I ask unanimous consent to make a short statement.

President KELLY—Councilor Kinsella asks unanimous consent to make a short statement. Hearing no objection, he may.

Coun. KINSELLA—Mr. President, I want to say for the record that two weeks ago today the City Clerk, John B. Hynes, was returned to his position. I was not here to vote for Mr. Hynes, the City Clerk, but I would like to applaud the judgment and wisdom and good taste of the Council in returning him to his position.

MOTION TO ABOLISH THE COMMITTEE ON LICENSES.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—May I ask the Chairman of the Committee on Licenses a question through you?

President KELLY—Do you care to answer the question?

Coun. COFFEY—No. Mr. President, what is he doing on his feet?

President KELLY—Councilor Coffey refuses to answer your question. Councilor Muchnick, for what purpose does the gentleman rise?

Coun. MUCHNICK—I would like to put the question just the same, and if I know anything about the rules, I think I am correct.

Coun. COFFEY—He is out of order.

President KELLY—If you have a motion, I will be glad to accept a motion in writing.

Coun. MUCHNICK—I don't want to make a motion, Mr. President.

Coun. COFFEY—He is out of order.

Coun. MUCHNICK—I want to ask a question and I believe I am entitled to get the question on the record.

Coun. COFFEY—A point of order.

President KELLY—If you rise to a point of information —

Coun. MUCHNICK—I have a point of information.

President KELLY—What is your point of information?

Coun. MUCHNICK—Will the Chairman of the Licenses Committee inform me, through you, Mr. Chairman, when he intends to have a meeting of his committee for the purpose of acting on the petition of the Boston Waterways, Inc.?

President KELLY—Councilor Coffey.

Coun. COFFEY—When I feel like it, Mr. President.

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. MUCHNICK—To make a motion.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—I move that the Committee on Licenses be abolished.

President KELLY—it is referred to the Committee on Rules.

MOTION TO ABOLISH COMMITTEE ON MILITARY AFFAIRS.

Coun. BAYLEY—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. BAYLEY—I am going to move that the Committee on Military Affairs be abolished. We have come twice to 14 votes. I am going again to move that it be abolished.

President KELLY—Councilor Bayley moves the Committee on Military Affairs be abolished. Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. MUCHNICK—A point of order.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—If one motion to abolish a committee is referred to the Committee on Rules, it seems to me somewhat logical a second motion to abolish a committee belongs in that committee.

President KELLY—That is a motion the Council has voted on two or three times to abolish, and they claim there is no need of the committee.

Coun. MUCHNICK—My claim is that there is no need of the Committee on Licenses, the way it is acting.

President KELLY—Is it your wish, Councilor Bayley, that it be referred to the Committee on Rules?

Coun. MUCHNICK—It is my wish the Chair act logically.

President KELLY—It will be referred to the Committee on Rules.

Later in the session Coun. BAYLEY said—Mr. President.

President KELLY—Councilor Bayley.

Coun. BAYLEY—A point of parliamentary inquiry, Mr. President.

President KELLY—Will you state your point of parliamentary inquiry?

Coun. BAYLEY—My question is, why was my motion of three or four weeks ago to abolish the Committee on Military Affairs put to a vote and today it is referred to the Committee on Rules?

President KELLY—Councilor Muchnick questioned the judgment of the Chair when he referred the other matter to the Rules Committee.

Coun. BAYLEY—It was before the Body three or four weeks ago.

President KELLY—Councilor Muchnick questioned my judgment.

Coun. BAYLEY—I feel both motions could be voted on without being referred to the committee.

President KELLY—The Chair does not feel the first motion with regard to the Committee on Licenses should be voted on because it has to do with the rules of the Council, and it is a necessary committee.

REPRESENTATION BEFORE COUNCIL
COMMITTEES.

Coun. COFFEY offered the following:

That the Law Department draw legislation that members of the Council not attorneys be allowed to take a fee for representing a party before City Council committees, with same legal standing as members who are lawyers.

Coun. COFFEY—Mr. President, I make a motion that in the future attorneys in this Body be disallowed to act as representatives for anybody coming in here seeking anything before the Boston City Council. May I ask that it be acted upon today?

President KELLY—The Chair will rule, no matter what action the Council takes, an attorney has the legal right to represent any client.

Coun. COFFEY—A point of information.

President KELLY—Will you state your point of information?

Coun. COFFEY—You claim the attorney has the right to act in a legal capacity for anybody seeking anything before the Boston City Council or the city? You make that ruling? They have a legal right?

President KELLY—One minute, councilor. A lawyer has the right to act as the legal representative on anything before the Council. Of course, if he acts as attorney on anything coming up in the City Council, he cannot cast his vote on it if he is acting as attorney.

Coun. COFFEY—In that way they can take the fee that an ordinary member of the City Council who is not an attorney cannot take. Therefore, I make a motion that those who are not members of the bar be allowed to take the same fee that members of the bar may get when retained by anybody seeking anything before this Body.

President KELLY—The Chair will rule he can't accept your motion, councilor. The Council has no authority to make attorneys out of the laymen on the Council. I can't accept your motion.

Coun. COFFEY—Mr. President.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Coffey.

Coun. COFFEY—I would like to amend my motion that the Law Department draw up a bill for the Legislature so that the members of the Boston City Council who are not attorneys can be in a position to take a legal fee acting for anybody seeking anything through the Boston City Council so that we would not be considered grafters in the event of taking a fee.

President KELLY—That is referred to the Committee on Rules.

LIGHTING SYSTEM ON BROOKLEDGE
STREET, WARD 12.

Coun. COOK offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to improve the lighting system on Brookledge street, Ward 12.

Coun. COOK—This is one of the ordinary orders that go through. I would like to point out to the Council it seems to me when they replace some of the gas lights with electric lights in many instances they put a small electric bulb on top of the pole. I think it is bad for the city from all viewpoints. In my district, there have been many holdups and many assaults because the light that emanates from a plain bulb without a reflector is of no value at all. I think the Commissioner of Public Works should take steps to improve the lighting system not only on Brookledge street but throughout the whole city.

The order was passed under suspension of the rules.

MOTION TO ADJOURN.

Coun. COOK—I move we adjourn.

President KELLY—There is another matter. Will you withdraw your motion?

Coun. COOK—Yes.

LIGHTING SYSTEM, SPRING PARK
AVENUE.

Coun. McCORMACK offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to take immediate steps to correct the lighting system on Spring Park avenue, Ward 19.

Passed under suspension of the rules.

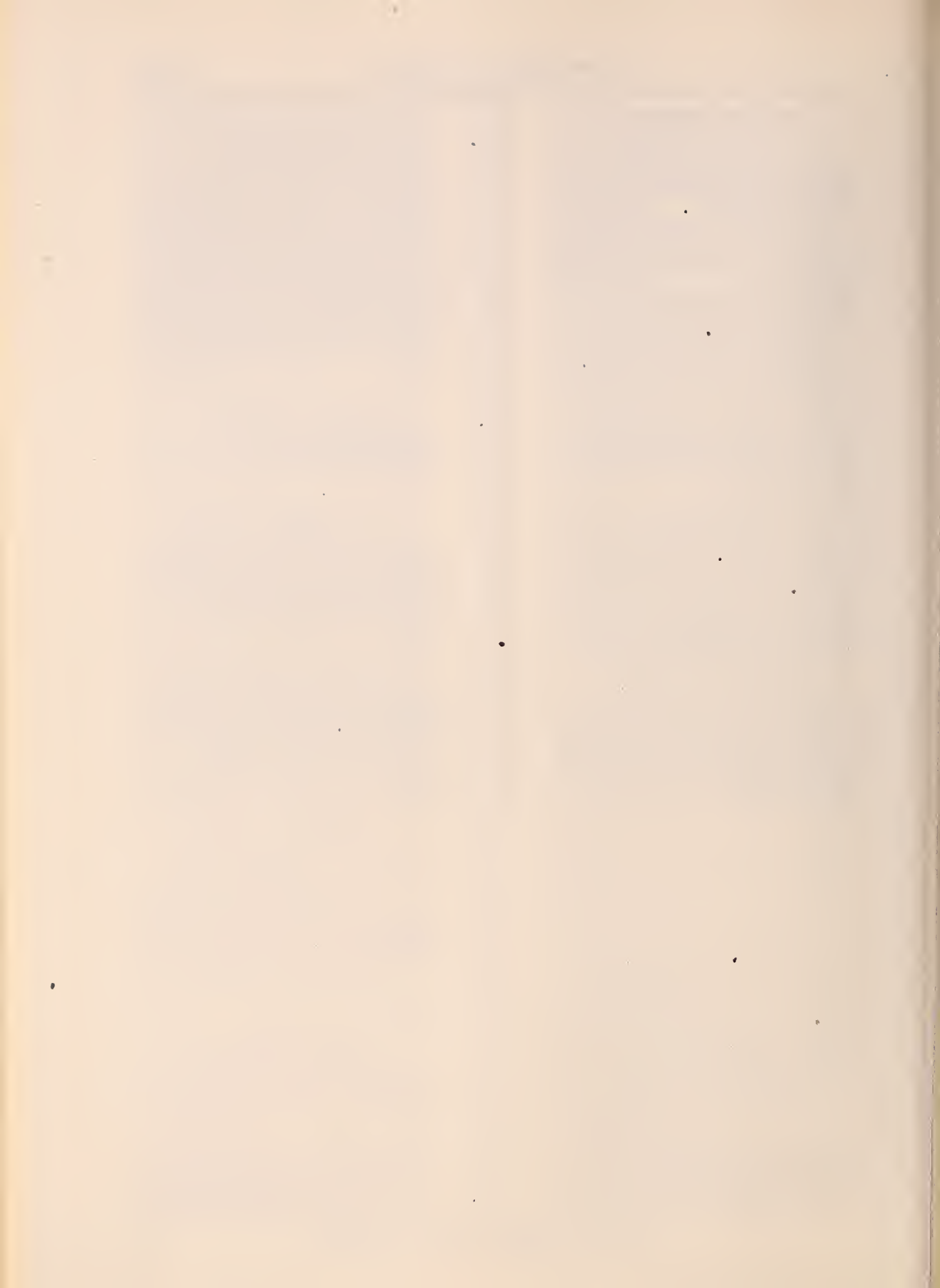
TEMPORARY LIBRARY QUARTERS IN
NEPONSET SECTION.

Coun. KEENAN, MUCHNICK, HANNON and FISH offered the following:

Ordered, That the Trustees of the Boston Public Library be requested to provide temporary library quarters in the Neponset section.

Passed under suspension of the rules.

Adjourned at 5.35 p. m., on motion of Councilor Cook, to meet on Monday, February 24, 1947, at 2 p. m.



CITY OF BOSTON.

Proceedings of City Council.

Monday, February 24, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Carey, Fish, Hurley and Scannell.

The meeting was opened with the salute to the Flag.

REPLACEMENT OF GAS LAMPS ON CERTAIN WARD 12 STREETS.

The following was received:

City of Boston,

Office of the Mayor, February 24, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, relative to your order of February 3, 1947, concerning the replacement of gas lamps with modern electric arc lamps on the following-named streets in Ward 12: Moreland street, Sonoma street, Ruthven street, Wayne street.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Public Works Department,
February 18, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works replace the present antiquated gas lamps with modern electric arc lamps on the following-named streets in Ward 12: Moreland street, Sonoma street, Ruthven street, Wayne street.

Please be advised that the Lighting Service of the Public Works Department will have a survey of these streets made with a view to making the changes as requested.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

REPLACEMENT OF GAS LAMPS ON CERTAIN WARD 19 STREETS.

The following was received:

City of Boston,

Office of the Mayor, February 24, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, relative to your order of February 10, 1947, concerning the changing of gas lights to electricity on the following streets in Ward 19: Holbrook street, Eliot street, Paul Gore street, Dunster street, Aldworth street, Florence street, Forbes street.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Public Works Department,
February 18, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works take the necessary steps to have the gas lights changed to electricity on the following streets in Ward 19: Holbrook street, Eliot street, Paul Gore street, Dunster road, Aldworth street, Florence street, Forbes street.

Please be advised that the Lighting Service of the Public Works Department will have a survey

of these streets made with a view to making the changes as requested.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

IMPROVED LIGHTING ON CERTAIN WARD 2 STREETS.

The following was received:

City of Boston,

Office of the Mayor, February 24, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, relative to your order of February 10, 1947, concerning the installation of a bracketed light on the carrying pole on Cook street, opposite Sheafe street, in Ward 2, Charlestown, and the surveying of Warren street, Ward 2, for the purpose of improving the street lighting facilities thereon.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Public Works Department,
February 18, 1947.

Mr. J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works install a bracketed light on the carrying pole on Cook street, opposite Sheafe street, in Ward 2, Charlestown, and to survey Warren street, Ward 2, Charlestown, for the purpose of improving the street lighting facilities thereon.

Please be advised that the Lighting Service of the Public Works Department will make a survey of these locations with a view to improving the conditions, if necessary.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

LIGHTING AT CERTAIN WARD 12 INTERSECTIONS.

The following was received:

City of Boston,

Office of the Mayor, February 24, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, relative to your order of February 10, 1947, concerning the installation of street illumination at the intersection of Warren and Savin streets, and Warren and Maywood streets, Ward 12.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Public Works Department,
February 18, 1947.

Mr. J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works install proper street illumination at the intersection of Warren and Savin streets, and Warren and Maywood streets, Ward 12.

Please be advised that the Lighting Service of the Public Works Department will make a survey of these locations with a view to improving the conditions, if necessary.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

SIDEWALKS, WILLOW COURT, WARD 7.

The following was received:

City of Boston,

Office of the Mayor, February 18, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, relative to your order of February 10, 1947, concerning the installation of granolithic or black-top sidewalks in that part of Willow court, Ward 7, which does not already have sidewalks.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Public Works Department,
February 17, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works install granolithic or black-top sidewalks in that part of Willow court, Ward 7, which does not already have sidewalks.

Please be advised that this street will be put on the list of streets to be given consideration during the present year.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

RESANDING OF SOUTH BOSTON BEACHES.

The following was received:

City of Boston,
Office of the Mayor, February 24, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department, relative to your order of February 17, 1947, in connection with the resanding of the beaches in South Boston for the summer season.

Respectfully,
JOHN B. KELLY, Acting Mayor.

City of Boston,
Park Department, February 20 1947.
Mr. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—In the absence of Mr. Long from the city, I acknowledge receipt of your memo. of February 19 requesting the Park Commission to resand all the beaches in South Boston for the summer season. Accompanying the memo, was an order of the City Council, sponsored by Councilors Linehan and Scannell, requesting that this work be done. The order was passed in City Council on February 17 of this year.

Immediately upon Mr. Long's return to the city, your memo and the order will be called to his attention.

Very truly yours,
ARTHUR J. O'KEEFE, Secretary.
Placed on file.

PETITIONS REFERRED.

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

Claims.

W. B. Castle, for compensation for damage to car caused by an alleged defect in Huntington avenue.

Arthur V. Collins, for compensation for damage to car caused by an alleged defect in Child street, Jamaica Plain.

John Gottlieb, for compensation for damage to car by city truck.

Headquarters, First Service Command, for refund on ferry tickets.

George J. Kaden, for compensation for damage to car by city truck.

Edward E. Kenney, for compensation for loss of overcoat while patient at City Hospital.

Ruth G. Wesson, for compensation for injuries caused by an alleged defect at Marlborough street and Massachusetts avenue.

Alfred F. Whiting, Jr., for compensation for damage to car by city car.

PERMIT FOR CHILDREN TO APPEAR.

A petition was received from John S. Bowes for children under 15 years of age to appear at Tributary Theatre, New England Mutual Hall, March 1, 8, 15, and 29.

Permit granted under usual conditions.

MINORS' PERMITS.

Petitions for permits for 11 newsboys and 1 boot-black were received, and permits granted under usual conditions.

LICENSE FOR TRANSIENT VENDOR.

The petition of Florence McCollum for license as transient vendor for sale of health foods at Tremont Temple was received, together with bond of Century Indemnity Company.

License granted under usual conditions and fee paid February 18, 1947.

SALARIES OF MEMBERS OF BOARD OF APPEAL.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor direct the Corporation Counsel to prepare and file legislation authorizing an increase in the salary of the members of the Board of Appeal, from ten dollars per day to twenty-five dollars per day.

President KELLY—Councilor Hannon.

Coun. HANNON—Mr. President, I am filing this order because I think it is something that has been overlooked in the general increase in salaries. The members of the Board of Appeal of the Building Department are established businessmen who give their time to hear the various appeals from the decisions of the Building Commissioner. They are men of means and men of unchallenged integrity, and I think in these days it is an outrage to ask them to continue to serve at \$10 per day. I thought it would be possible to increase their salaries, but I am informed the salary is established by statute and it is necessary, therefore, that the statute be changed in order that this increase be given these men. I hope this matter will be presented to the Legislature by the Committee on Rules, and I hope favorable action is taken upon it.

President KELLY—Councilor Hannon asks suspension of the rules and passage of the order.

The order was passed under suspension of the rules.

HEARING TO UNION BY BOSTON HOUSING AUTHORITY.

Coun. LINEHAN offered the following:

Whereas, As a result of a labor disagreement between the Boston Housing Authority and the International Brotherhood of Firemen, Oilers, Operators, Helpers and Maintenance Men, Local Union No. 3, during the year 1946, a very serious health condition arose in the low income housing developments due to a lack of adequate heat. Tenants were compelled to turn on their electric stoves in order to secure heat and as a result of the overloading of the electric system it ceased to function, leaving said tenants without any heat. No coal or oil was delivered to the projects at that time due to sympathy of other union men. The Boston Health Department was called in because of the terrible unhealthy conditions which arose due to the aforesaid condition and many tenants became ill and were taken to the Boston City Hospital, and

Whereas, The Boston Housing Authority and the said union settled their differences and as a result an agreement was entered into between said parties and it is now the contention of said union that the Boston Housing Authority has breached said agreement, and

Whereas, Said union on February 7, 1947, served notice to the United States Department of Labor, under the Smith-Connolly Bill that a work stoppage involving their union was forthcoming against the said Boston Housing Authority, and if at the end of the 30-day period of waiting, which expires thirty days after February 7, 1947, said parties do not arbitrate to a satisfactory settlement, and if the said union should call a strike, it will lead to untold misery, hardship and unhealthy conditions for the tenants of said housing developments, therefore, be it

Ordered, That his Honor the Mayor request the members of the Boston Housing Authority to grant a hearing to the union for the purpose of amicably settling the said labor dispute to the end that the tenants of the housing developments, under the jurisdiction of the Boston Housing Authority, will not be compelled to undergo the same health menace that they experienced during 1946 when many men, women and children suffered sickness due to lack of heat because of a labor disagreement between the Boston Housing Authority and the members of said union.

President KELLY—Councilor Linchan.

Coun. LINEHAN—Mr. President, I am taking the floor of the Council today in the hope that whatever action this Council may take might cause the members of the Boston Housing Authority and the officials representing the union in question here to get together and amicably settle their disputes in regard to the labor conditions that exist in the different projects relative to the firemen, helpers, and other employees that come under the jurisdiction of this particular union. I think many of the councilors here today remember the conditions that existed in the housing projects in their districts due to a similar condition that existed relative to a strike of, I think, about a year ago. At that time the Boston Housing Authority and the union were not able to get together to settle their disputes, and as a result the men went out on strike, a right which labor has had and will have, I hope, over many, many years to come. The unfortunate part of these labor troubles that take place in this particular function, you might say, of housing needy families is the effect it has on the tenants. I am not worrying so much about the members of the Boston Housing Authority because they can live in their homes and have heat. I am not so much worried about the workers involved here, men who are working in the housing projects and belonging to this union, because I think eventually they will probably receive some kind of just treatment by the Boston Housing Authority. But I am afraid before this just treatment comes from the members of the Boston Housing Authority we might have a period of strike, and of course if we do we will have the same conditions existing in the projects that existed a year ago. We had then untold misery. I think you can well remember the conditions that existed because those conditions were described in our Boston papers. It was a terrible indictment on public officials and union men together, in not being able to get together so that the poor unfortunate tenants did not suffer, but unfortunately a year ago they did. Now, about one week or so after the trouble started a year ago, I took the floor of this Council and filed an order demanding his Honor the Mayor summons in the members of the Housing Authority and officials of the union so that they might get together and settle their strike, so that the people in the housing projects throughout the city would not suffer. At that time I can well remember his Honor the Mayor stated to the newspaper man he would not inject himself into the proposition due to the fact that he said the Boston Housing Authority was an entity by itself and was not subject to the jurisdiction of the Mayor. As you know, the Boston Housing Authority is not a department of the city, it is a body created by the State Legislature which has one member appointed by the State Board of Housing and the other four members appointed by the Mayor of Boston with the sanction and approval of the Boston City Council. So I suppose we have some indirect control, but it seems to me that is only when they come up for appointment. After we appoint the men to be on the Boston Housing Authority they can practically tell us to go where they want us to. That has happened on several occasions, but in most instances they have been cooperative with the members of the City Council relative to any orders we might file pertaining to housing. As I say, the strike did take place a year ago, and rather than wait for this so-called 30-day period to expire—which will expire, I believe, around March 9, 1947, which is only, you might say, ten or twelve days away—rather than wait for that point to come, I decided to take a chance in getting my ears pinned back by the members of the Boston Housing Authority and the members of the union, and I am doing so for the sake of the tenants. I am primarily interested in the people who are not represented in this strike, the tenants. I suppose the taxpayers of Boston are also interested in seeing the people living in these projects at least receive the heat they are entitled to under the contract with the Boston Housing Authority, that is to say, when tenants hire an apartment in any of the low-income housing projects, one of the charges is for utilities, which includes heat; therefore, it is a breach of the contract so long as they are not supplying heat to the tenant. Way back in 1941, there was an agreement entered into by the members of the Boston Housing Authority—and at that time

John Breen was the chairman—and the said union which I mentioned in the order of today. Among the conditions set forth in that agreement is a list of about six conditions, and the union at this time contend that several of those conditions have been breached by the Boston Housing Authority. Personally, I don't think that is so important to this Body, I don't think it comes under our jurisdiction. That comes solely under the union and the Boston Housing Authority and probably the United States Department of Labor. I am hoping before the 30-day period expires and before the men can go out on strike that a representative from the United States Department of Labor will be permitted to come down before the members of this Boston Housing Authority along with the union officials to discuss the disputes in question. It is my sincere hope, and I believe the hope of the other councilors who have housing projects in their districts, that these men can come together for the benefit of the people living in the projects. I don't ask the members of the Boston Housing Authority to grant all the requests of the union men. I am asking the members of the Boston Housing Authority, through his Honor the Mayor, and at the present time the Acting Mayor, John B. Kelly, to do all in his power to get both parties together to attempt to settle their disagreements. As I said at the outset, I don't want to become a party to the argument one way or the other. You might say I am speaking for the many thousands of tenants who live in the housing projects. I suppose there are other councilors here who feel the same way I do; primarily, they are interested in the health and welfare of the tenants. I think both the union and the members of the Boston Housing Authority owe it to good government, you might say, and to the public, that they arbitrate in an equitable manner to such an extent that the tenants and taxpayers are protected. I don't think any member of the Boston Housing Authority will be so obstinate as to say, "There is no union going to tell us what to do." I don't think the members of the Boston Housing Authority should attack the problem that way. I don't think the members of the union should say, "You give us this and that, and this and that, or else we go out on strike." I certainly hope neither one of them act that way, and I hope they get together and say, "Let us see if we cannot get together on this agreement." This agreement which went in effect in 1941, as I understand it, remained in effect until around 1943, I believe it was, unless the Boston Housing Authority gave the union representatives thirty days' notice in writing, they would not abide by the written agreement. It is my understanding that the written agreement has been lived up to verbally since the time of its so-called expiration. Now, I don't know whether that is so or not, but I don't think it is our job to decide whether it is existing at the present time. If it is, it seems to me fundamental the Boston Housing Authority should go down the line and abide by every condition that exists in the contract, if it exists at all today. If it does not, the question is, has the union a right to present its claims for adjustment to the members of the Boston Housing Authority and let the members of the Boston Housing Authority decide whether they are just or unjust. If they are unjust, at least in the opinion of the Boston Housing Authority, I sincerely hope a third party representing the Department of Labor from Washington will be called in, in order to evaluate the claim, so that we will get a decision and so that both sides, you might say, will be satisfied, and that the men will keep working and that there will be no stoppage, so that we won't have the City Hospital crowded like we did a year ago. It is still crowded, anyhow, but there will be more demands at the hospital to crowd in more people than should be in there. I can well remember in Old Harbor Village last year there were many, many babies very sick as the result of the fact that they could not get the milk heated for them due to the lack of heat. I was informed most of the tenants put on the electric stoves and as a result of that added burden on the electrical supply it caused it to peter out, the load was so great, and then they did not have any electricity at all and they did not have the heat from the stoves. God help us, I hope we don't have that happen this year. I am filing this order early enough so that we cannot have an excuse either from the Boston Housing

Authority or the members of the union that this did not get a public hearing before the union called a strike. The union has complied with the law. It sent a letter to the Department of Labor announcing the fact that it is complying with the law by giving the thirty days' written note before they order a stoppage of work. I sincerely hope the Acting Mayor, if the Mayor is not back in time, will send the order down to the Boston Housing Authority; rather than sending it down, demand they have a hearing between the members of the Boston Housing Authority and the officials of the union. Up to date there really has not been any kind of hearing on written charges. The Boston Housing Authority has requested written complaints be submitted by the union, which the union has done, but there has been no hearing on those written charges, and I am hoping the Acting Mayor of the City of Boston will use his high office to compel, or request at least, the members of the Housing Authority to get together with the union before the 30-day period expires, so that there won't be any stoppage of work.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Mr. President, I am not going to oppose the passage of the resolution and I am not going to take any issue with Councilor Linehan; I agree heartily with practically everything he says, but I would like to remind this Body I have some people working in the Boston Housing Authority in different capacities, and you can believe me and put it right in the record that if I thought any of them was getting unionized and by that means conspiring to work harm on such large portions of the population, they never would have gotten a job from my hands. I am not opposed to unions but I am opposed to the back-door methods many of these patronage seekers adopt. There was no labor union through which they had to pass to get the job. They came to me and they went to Linehan, they went to Russo, and they went to any one in the Chamber they thought had sufficient prestige with the Housing Authority to put them in jobs in many instances far exceeding our own income. Forgetting the jobs, every measure of protection is thrown around them. Most of them have been hired with the understanding the job would be a lifetime job if they wanted it that way, and in return, all they were asked to contribute was a fair and honest day's work for what was considered to be a fair and honest day's pay. After they become firmly established there and are accustomed to the \$40-odd salary a week, they unionize and then get avaricious in their demands. But whatever their demands are, are of no concern to me now. I can't possibly be opposed to labor as such, but I am one character who will stand up here in public and tell you a good deal of our ills today, city, state, and national, are due to the greedy avariciousness of the labor unions. They got their jobs by the simple expedient of coming to us who hold ourselves liable, you might say, for their welfare in putting them on the pay roll at a job where in many instances they know nothing about it, but about which they acquire knowledge, and then they go around trying to hamstring the operation of an undertaking whose success or failure can have good or dire consequences for so many harmless people. Another commentary I want to make is that the Boston Housing Authority as such has employee tenants of the Housing Authority, so that they not only live in the developments, but the wherewithal to live there comes from the Authority that owns their living quarters. I said I don't intend to oppose the passage of this, nor do I, but I dare think, now that the order has been introduced, that we might very well have stayed out of this entirely for the excellent reason that they are making their own bed, let them lie in it. No one need criticize me as anti-labor, because I come from the type of people who themselves were never anti-labor. Conditions here would have been vastly different had the Authority at the outset required that certain categories of workers be already unionized before they got the work, but that is not so, Mr. President, and I think you can agree with me because you probably have people working in one capacity or another in the Housing Authority in capacities normally unionized, and your man or men did not have to pass through the hands of any labor union. Now, with a little security behind them, they are going to turn around and make it

extremely difficult for helpless people to live in the peace and comfort that is guaranteed them in their leases. I think we ought to keep out of this. Let them settle their own differences with the Boston Housing Authority. Let them remember how they got their jobs. I don't care who protects them for the next twenty years, but those I got in owe me an everlasting debt of gratitude for getting them jobs that no one else would get them. I discharged my obligation but I never would have done it had I thought I was contributing to one more labor situation. I hope the order passes and I hope what I have said will be looked upon as a fair estimate of the opinion of everybody in this Chamber and every member of the Council who ever asked anything at the hands of the Boston Housing Authority. Let them work out their own salvation without any interference from us. But once again, I want to repeat, if they make their beds, let them lie in them.

Coun. LINEHAN—Mr. President.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick, not having spoken.

Coun. MUCHNICK—Mr. President, in the first place, let me make it clear when the councilor from Ward 2 (Councilor Kinsella) says he believes his sentiments are those of everyone else in the room, I think for myself I am able to speak my own sentiments and don't want to be bound by anything that has been said by him in this matter, or by anyone else.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella, for what purpose does the gentleman rise?

Coun. KINSELLA—Just to ask the councilor a question.

President KELLY—Do you yield for a question?

Coun. MUCHNICK—Surely.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Don't you think from your experience with me that I recognize your ability to speak for yourself? And have you never before heard the expression, "I think I speak for the other members of the Body?" Your vote will determine exactly how you feel, Councilor Muchnick, without taking me to task for making a perfectly routine statement.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—There not having been any question, there is nothing for me to answer.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—Mr. President, it seems to me that question involves some interpretation of the law concerning the right of the people in certain federal and city units to organize and, therefore, I move we send it to the Executive Session with the request the Law Department come down and interpret the whole situation for us.

President KELLY—Councilor Muchnick makes a motion it be referred to the Executive Session.

Coun. LINEHAN—Mr. President.

President KELLY—Talking on the motion, Councilor Linehan.

Coun. LINEHAN—Mr. President, frankly, I don't know that I want the motion to prevail, because I think I have given what the law is. It is up to the members of the Boston Housing Authority alone to decide this thing. Coming back to the councilor from Charlestown's remark, I thought I made myself clear that one year ago some of us in public office were probably kind of lax, we were not on the ball, so that at the time the so-called firemen went on strike the people were without heat. That is solely the reason why I am up here today. I am a former member of the Boston Housing Authority but that does not preclude me from filing orders which I think are good orders. Certainly I have put people to work on the Housing Authority and I expected them to earn their day's pay. If they don't they can get fired and that goes for anybody I have helped to put to work, whether it is for the city or for the Boston Housing Authority. I will tell them never to come back to me if they get fired because they did not do a good job, but I certainly think it is the duty of the Boston City Council to protect the large number of citizens of this city who might be hurt as far as their health is concerned if the heat is stopped at the end of the so-called 30-day period, about which I spoke. What are we to do? Will we wait for the 30 days to go by and if something is not done and the strike develops, let the people freeze in the housing project? I say no, if this little order of

ours can convince the members of the Boston Housing Authority and the union to get together mutually to settle their differences, so that there will be no strike and nobody will be without heat. If this order accomplishes that, I certainly think we have done the people of Boston a good service. I certainly think it is within our jurisdiction to file orders such as this. Of course, I admit it is not a department of the city, but do you have to file orders all the time only on matters that come within the departments of the city? I might say that the Health Department was called in last year on this matter after the strike took place, because the children could not get their milk warmed up and the tenants could not get heat in the apartments to keep warm. The bed was made for them but it was a cold bed. I am not talking about the workmen. Let them sleep in the beds they are making. I am talking about the beds for the tenants. I thought I made it clear, Mr. President, that I am not taking sides. I have already told representatives of the union I am paramountly interested in the rights and welfare of the tenants, not the workman there. I thought I made myself clear I don't know whose fault it is, and primarily that is not my interest. My interest is merely to ask them to get together to see if they can iron out their difficulties, to see if they can do it in such a way there will not be any strike. I don't know whether there will be a strike or not, at the end of the 30-day period, but it is possible that there will be, if they don't enter into some sort of agreement, because it happened last year. I happen to have two projects in my district which have probably about 1,800 families. Am I going to let the 30-day period go by without taking the floor of this Council and voicing a protest or at least urging the members of the Boston Housing Authority and the union to get together? I think that is all my order says. I don't condemn the members of the Boston Housing Authority and I don't put the workmen on any pedestal, and if I said that in my speech I certainly did not intend it. I don't think the councilor from Charlestown, if he looks back and reads the minutes taken down by the stenographer, will find I have condemned the members of the Boston Housing Authority or put the workmen on a pedestal. I think I have stuck to the subject of the order, the welfare of the tenants. I am sure he feels the same way I do. I said the workmen have a right to strike, and I believe in it, but there is a question of opinion as to whether or not many of the ills that beset the nation today are the creation of labor. We can talk all day as to whether or not the union man has a right to go out on strike in a government institution. You can take both sides of the question and argue intelligently, but I am not taking sides in this case between the members of the Housing Authority and the union. I am merely asking them to get together for the benefit of the tenants. I don't think I am infringing on the rights of any councilor here and I don't think I am putting them on the spot when I ask for the passage of an order like this, because, after all, I am a former member of the Boston Housing Authority who served with two of the present members. I certainly don't want it to appear that I am kicking them around a bit, but I think we can advise them. Can we advise them on such matters? I think we can. We appoint four of them to the Board and we just, as a matter of fact, confirmed two of them a short while ago. I certainly hope the gentleman from Charlestown did not get the idea I was throwing down the members of the Authority against the workman. I made myself clear today, I thought, when I said I am primarily interested in the welfare of the tenants.

President KELLY—The motion is to refer this matter to the Executive Session.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella, talking on the motion.

Coun. KINSELLA—Mr. President, I hope it does not go there. I understood clearly the contents of the order and the statements that followed, and I did say I was in hearty accord with about 99 per cent of the meaning of the order. The only difference—if there is a difference—is that I took one tack and Councilor Linehan took another. I said at the outset I am not going to oppose the passage of the order—that is clearly in the record—for the excellent reason that I believe the order is in order. Of course, we have a right to suggest to the Boston Housing Authority; in fact, we have a right to order them if the con-

dition is desperate enough, as it bids fair to become. Whether they obey the order or not is another thing. I realize the middle of the road the councilor took but I went off on a tangent and took one side of it. My only complaint was, after getting their jobs by one means they conspire by joining a labor organization to beat additional terms out of their employers and making, as I put this phrase, harmless people suffer. Of course I am in full accord with what you say. Nor do I in any way imply you or anyone else in the Body cannot put such an order or resolve in. You most certainly can, and so could I, if I wanted to; there is not any divergent view there, and there is perhaps more meeting of the minds than is apparent on the surface. If I choose to go the whole hog on the question handled by the many individuals in such a way that it is distasteful to me, I certainly have a right to get up and take that tangent. I am supporting the resolution and everything that it implies and contains. For the record, I hope that the gentlemen who are planning, you might say, this hamstringing, will read exactly what one councilor thinks of them. If they are going to lose their jobs tomorrow for any reason, particularly through some fault they themselves are answerable for, they can come running to us since we are the means by which they got in, but I want to repeat as strongly as I can again, if they had to qualify by union membership for the positions, that would be one thing, but they got them purely under the patronage system, and that is what I had in mind. Now they have made their beds, let them lie in them and let them carry on their own negotiations without even a hint or suspicion of interest on our part.

President KELLY—The question is on referring this matter to the Executive Session.

Coun. RUSSO—Mr. President.

President KELLY—Talking on the motion, Councilor Russo.

Coun. RUSSO—May I have the City Clerk read the order?

President KELLY—The City Clerk will read the order.

(The order was read.)

President KELLY—The question is on referring this order to the Executive Session. All those in favor say "aye," those opposed, "no." It is not a vote.

Coun. LINEHAN—I move the passage of the order.

President KELLY—Councilor Linehan moves the passage of the order, and asks for suspension of the rules. All those in favor say "aye," those opposed, "no."

The order was passed under suspension of the rules.

INCOME TAX REDUCTION IN LOWER BRACKETS.

Coun. LINEHAN offered the following:

Whereas, The 1947 U. S. Congress is at the present time considering the advisability of a reduction in the Federal income tax; therefore be it Resolved, That the Boston City Council, in meeting assembled, hereby favors an income tax reduction for those persons who are in the lower income brackets, as advocated by State Representative Henry L. Shattuck and U. S. Senator Henry Cabot Lodge, Jr.; and be it further

Resolved, That copies of this resolution be sent to the Massachusetts delegation in Congress.

President KELLY—Referred to the Committee on Rules.

Coun. LINEHAN—May I talk on this?

President KELLY—I am sorry, councilor.

The resolve was referred to the Committee on Rules.

FRANKLIN PARK ZOO.

Coun. CHASE offered the following:

Resolved, That the Boston City Council is opposed to the administration's program of being pound-foolish in the granting of millions of dollars worth of abatements and the letting out of large contracts without public bids and the penny-wise policy of curtailing on the maintenance of Franklin Park Zoo.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase.

Coun. CHASE—Mr. President, we have had — —

Coun. M'CHINICK—Mr. President.

President KELLY—Councilor Muehnick. For what purpose does the gentleman rise?

Coun. M'CHINICK—A point of order.

President KELLY—State your point of order.

Coun. M'CHINICK—It seems to me this should go to the Rules Committee even if it should not be ruled out of order on that ground, because if I remember hearing correctly, there are three separate items in the resolution. I have no objection to any one of the three, but let them be taken up properly. I don't want to stay here all day.

President KELLY—The Chair is going to rule the resolution is in order, because it relates to city business. The second part of the order relates to business we have before the Appropriations Committee in the annual budget. The Chair is going to rule the resolution is in order. Councilor Chase.

Coun. CHASE—Mr. President, it seems to me, sir, in view of what has recently been called to public attention, Franklin Park Zoo is badly depleted and the cages are in poor order, and so forth, and so forth, all because of lack of sufficient money to maintain these items, and that this calls for some criticism by the members of your Council, sir. I have in mind that his Honor the Mayor has adopted the policy of being pound-foolish and penny-wise. His Honor the Mayor apparently believes in denying the children of Boston and the public of Boston the right to have a public zoo in Franklin Park, a zoo, sir, which can be maintained annually, at a reasonable cost, and at a cost which your taxpayers, sir, would not object to, in my opinion. Some of the taxpayers in Boston are very much opposed to his Honor the Mayor's program in giving millions and millions of dollars out for real estate tax abatements, millions of dollars of abatements, sir, to the upper brackets, and when I say millions of dollars of abatements, I don't mean merely assessed valuation in millions but actually, sir, millions of dollars which the city treasury is turning back. I say, sir, we in this Chamber, in the not too far distant future, will learn what I say is true: millions of dollars of taxpayers' money are being returned on account of millions of dollars of tax abatements. That, sir, in my opinion, is a pound-foolish policy. On the other hand, sir, we learn that this administration is letting out millions of dollars of contracts without public bid; in other words, the administration in its desire to economize, does not seek the lowest qualified bidder. It has been called to our attention under this system, the taxpayers of Boston are paying hundreds of thousands of dollars more than they actually would have to pay for work performed if the contracts were let out at public bid. That, sir, I submit to you, is a pound-foolish policy. It has been called to our attention his Honor the Mayor cannot find sufficient money to buy a tiger or a bear or monkeys because of the conditions of the cages to keep them in. What kind of policy is this? Millions of dollars on the one hand out of the window against the interest of the taxpayers because of this policy of penny-wise-pound-foolish in trying to economize apparently on our Franklin Park Zoo. I am sure, sir, no councilor here desires to abide by such a program, and I submit to you that the facts disclosed in the latter part of 1946 and so far in 1947 show exactly what I have said. This apparently, sir, is the policy of the administration, pound-foolish and penny-wise, all to the detriment of your taxpayer. His Honor the Mayor has always contended, sir, that he is the Mayor of the poor, that he wants to take care of the people who are unable to take care of themselves. I know of a good many poor children in Boston who have not got sufficient funds to go to the movies and many of their mothers and sisters would like to take them out to Franklin Park Zoo to see the animals, but in many cases, sir, there are no animals to see, just broken-down, empty cages. Why? Because this city cannot afford it? But the city can afford to give millions of dollars wrongfully in tax abatements and the city can afford, sir, to give out millions of dollars of contracts without public bid, without ascertaining whether or not they can have these contracts accepted on a lower basis. I urge the Council to go along with the resolution, sir.

Coun. COFFEY—Mr. President.

President KELLY—Councilor Coffey, talking on the resolution.

Coun. COFFEY—It is all right for us to come in here week after week listening to the same thing week in and week out. So I suppose I will have to get up here — someone usually does — to say that because it is Curley, it is wrong. Ker-

rigan was O.K. Everything little Johnnie did was all right. The councilor from Ward 4 used to sit outside and he did not bother to come in here but kept the door partly open, and he would call down to the Mayor's office, "O.K., Johnnie, it is passed. O.K., Johnnie, that went through." Johnnie gave abatements, Johnnie gave contracts, and so did "Moc", in the several years he was Mayor of Boston. Moc gave abatements, Moc gave contracts without bid. I remember time and time again some of the members of this Body asked during the Kerrigan and Tobin administrations that the books be brought over from the assessors' office. We never got a look at those books and we have never seen the books. So now that Curley is here, it is all wrong. If little Johnnie did it and if Moc did it, it was all right. There were eight long years of doing it and there were very few councilors who took their feet to complain about what was going on, and definitely the councilor from Ward 4 was never one to stand up and ask what little Johnnie or Moc was doing for the eight years they held office. But every time he gets an opportunity to take a pot shot at the administration, he takes advantage of it and he takes that shot. So I say if Curley is guilty of wrongdoing, the same wrongdoing has been done by the former two mayors, little Johnnie and Moc, and the responsibility is theirs, the same as it is Curley's.

President KELLY—Councilor Chase asks for the suspension of the rule.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsells, talking on the order.

Coun. KINSELLA—I would like to see a component piece to that order going in now providing something else in the line of material betterment for our unfortunate poor, and I might see some merit in this. We had a war which to all intents and purposes engulfed us to August, 1945. If my memory serves me correctly, there was no such thing as the importation of wild animals for zoological purposes. Some time back in 1942, if I remember, they even took the State House iron picket fence down and sold it for junk because iron and steel and other metals were so scarce during the war. Concrete and cement were on top priority, only to the government or government agencies and for private builders who were doing government work. I am beginning to think that probably last night the gentleman from Ward 4 was rather desperate when he realized he had nothing today for which to condemn Curley, and then suddenly the zoo presents the master chance: Curley is now responsible for not bringing animals in here that were not procurable, and if they were procurable proper quarters for them could not be built or repaired or maintained, and the simple truth and justice of that statement does not appear to be attractive enough to an intelligent, likeable fellow like Perley D. Chase. I said a year ago I am sick and tired of coming to this Chamber and hearing Monday after Monday, *ad infinitum*, from January 1 to December 31, beginning with 1946, that Curley is everything. We had the rottenest, stinkiest conditions under his two predecessors. I would like to have somebody show me the record that a zoological specimen at Franklin Park Zoo was replenished and rehabilitated at any time since 1939 up to January 7, 1946. Is there ever going to be an end to it? And the way the young man, after talking two or three minutes, gives the impression of being ready to blow a cylinder head because of Curley, gives the impression he might be pleased no end to pick up tonight's paper and see that Curley dropped dead. How can he express a view like that? You don't have to love him. How in heaven's name can a man who so many people in his ward find attractive, have such a narrow and bigoted and restricted and intolerant view of another fellow man? Because he is under orders from someone in his party to keep sniping, keep hacking away, keep ambushing him. Tell the story long enough and often enough and enough people will believe you. How can any man call himself a Christian, without any mealy-mouthed type of hypocrisy since we are all Christians,—how can any man who calls himself a Christian take such an attitude week in and week out?

Coun. BAYLEY—Mr. President.

President KELLY—Councilor Bayley, for what purpose does the gentleman rise?

Coun. BAYLEY—I believe the distinguished councilor from Ward 4's motives are not under discussion.

Coun. KINSELLA—The more we know about motives, the more we will get to the meat of these matters.

Coun. COFFEY—He did not rise to a point of order.

President KELLY—The gentleman raised the point of order, that the motives of the councilor of Ward 4 are not under discussion.

Coun. KINSELLA—Warn me and I won't repeat it.

Coun. BAYLEY—What is the ruling, Mr. President?

President KELLY—Just one minute, councilor, and I will make the ruling.

Coun. BAYLEY—I was waiting.

President KELLY—Just wait. I will rule the motives of the councilor from Ward 4 are not under discussion.

Coun. BAYLEY—Thank you.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—I only repeat what I said that does not concern his motives. These animals were not procurable during the war and if they were, the proper materials to be used in caging them safely were not procurable. That is a matter of record, when we lost a fence here and lost a fence from the State House and other public places; that is not talking for the record, either, if the gentleman is looking for reasons. This sudden concern over giving the poor of the city a chance to look at the animals, I say if they are as poor as he claims and they cannot go to the movies, I submit unless they live within a stone's throw of the zoo, they cannot afford the car fare across the city, what with the present rates of fare. I believe we ought to build up every city agency we have and I am not opposed to any money in the budget for the purpose of rehabilitating and repopulating the animal population of that zoo but I think the gentleman from Ward 4 would achieve far greater success if he stuck to the meat of the order and not go off on a tangent into personalities. But the truth of the matter is that Curley did inherit a pretty rotten situation in this city, and when he is blameworthy I will stand up and join forces with Councilor Chase or anyone, when I am convinced he is blameworthy. I don't say Curley as a person or as a personality is one whit a better man than the persons who helped him into the office of mayor, and by any other name even though a Democrat, he probably would not be as reprehensible to certain people in this Chamber. And I won't run downstairs to him when he comes back and say, "Look, I defended you." I don't care if it never appears in the record. If we are now talking on budgetary items, I will stick to it, but when a gentleman will go purposely and deliberately and with malice so far out of the way to take for his lesson sermon today, "The guilt of Curley," in giving out this and restricting that, then in all fairness why doesn't he stand up and justify the same technique employed by others who, in his nostrils, did not smell to high heaven so much. I will vote for anything that will help the kids of this city, rich or poor, who could be taught a love for their fellowman if they start off by loving some little animal. Let us keep Curley out of it and let us make a hearty resolve here that next Monday we will celebrate it as "Curley day," Curley day for once and let the old gentleman have one 24-hour period during which he is not castigated, slandered, libeled, or maligned because he is Curley and for no other reason. When he is wrong, Curley can't put me on his side, and when he is right, no one can put me against him, and that is how I ask you to treat me, it is just as I treat you. I suggest a little more tolerance when speaking here on orders of this type. I suppose in common with the rest of us, Curley abhorred that recent fall of snow that made things so disagreeable for a couple of days. Did Curley cause that, too? I am only pleading for fairness. Curley hasn't a vote in this Body, we should remember that. As exalted as his position is, he cannot come in and defend himself. Let us not back-stab him while he is away, at least, and I am not the Curley spokesman. When I want to walk in and out of this Hall, I want to walk in and out when Curley or any of Curley's friends tell me I can. But I want to be fair with them. I wouldn't stand here and see Chase or anyone else kicked around because he happened to be what or who he is, and I tell you that face to face. If there is any good in this order, I am for it. I would like to see the zoo rehabilitated and repopulated, and clearly in the record again,

it was the war condition existing in this country, existing from 1939 to 1945, that resulted in the poor, shabby condition, not only of the animals at the zoo but their quarters. I am mindful, too, there are a lot of human families in Boston whose daily allotment of food costs less than the meat for one carnivorous animal in the zoo, bear that in mind, but of the two I will take the human family. Whatever this order says, I am for it.

Coun. CHASE—Mr. President.

Coun. COOK—Mr. President.

President KELLY—Councilor Cook, not having spoken.

Coun. COOK—I wish the President would be more strict on his rulings on points of order. Councilor Chase's order has to do with the matter of abatements, and that will come up when we discuss the budget. I don't think we ought to spend more time on this subject, which might be called "Hold that tiger, rope him in the zoo, James Michael." Let us take that up in due course.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase.

Coun. CHASE—Mr. President, may I say, first, in answer to the prior speakers, it is a fact, sir, that your city treasury has paid out millions of dollars in tax abatements and that your various department heads have let out millions of dollars of contracts without public bid and without ascertaining the lowest possible bid. Those two things I contend, sir, have a material effect on your tax rate, and those two things, sir, run into millions of dollars, whereas your zoo question amounts to probably a hundred thousand dollars tops. It would seem to me, sir, that I in my representative capacity as City Councilor have a right to criticize the administration because of that unwise policy that it has adopted. Sir, one other member of your Council has accused me of taking orders, apparently from the Republican leadership. Well, sir, all I can say is that during the ten years that I have held office in this Council and the years I have been in the State Legislature, I have been labelled as an independent Republican simply because I have had the courage to get on my feet and take issue with the Republican leadership when I thought they were wrong, and I submit, sir, the record speaks for itself. Look up your records and you will see how much Chase has been told how to vote. I vote the way my mind dictates to me.

President KELLY—The question is on the passage of the order. Councilor Chase asks for the suspension of the rules. All those in favor say "aye," those opposed, "no." It is ordered.

The order was passed under suspension of the rules.

NAMING OF STREET JUNCTIONS, WARD 3.

Coun. RUSSO offered the following:

Ordered, That the committee on naming squares be requested, through his Honor the Mayor, to consider the naming of the junction of Charter and Henchman streets after Isadore J. Accardi, a soldier who was killed in action on July 13, 1944; the junction of Hanover and Commercial streets after William J. Green, a soldier who was killed in action on July 9, 1944; and the junction of Foster and Commercial streets after Carmine A. Dantone, a soldier who was killed on January 31, 1945.

Coun. RUSSO—Mr. President.

President KELLY—Councilor Russo.

Coun. RUSSO—Very briefly, there has been a request made from the Carmine A. Dantone Post No. 13, American Veterans, that these particular intersections and squares be named after these three men who died in this World War II. I, therefore, submit the names and the locations of the squares to be named, and I hope that the committee on the naming of squares will give this full consideration. I desire the passage of the order.

The order was passed under suspension of the rules.

DISCONTINUANCE OF USE OF SOME LAND FOR VICTORY GARDENS.

Coun. MORIARTY and COOK offered the following:

Ordered, That the Park Commissioner confer with his Honor the Mayor to consider the ad-

visibility of discontinuing some Park Department lands for the purpose of victory gardens, to restore said areas formerly used as recreational spaces and one space in particular, the Playstead in Franklin Park.

Coun. MORIARTY—Mr. President.

President KELLY—Councillor Moriarty.

Coun. MORIARTY—Mr. President, in a recent perusal of this year's Park Department budget, I recognized an appropriation for the continuance of victory gardens. I questioned Mr. O'Keefe and Mr. Murphy as to where the additional moneys would be used. He said for the continuance of victory gardens which were established during the war years. I brought out the fact that in Ward 11, the Jamaica Plain area, we have a tremendous playground devoted in years prior to the war for the purpose of recreation, and comes the war, the City of Boston generously turned it over to public-spirited citizens to grow their own foodstuffs. It was thought during the war years because there was a scarcity of produce on the public market the people might grow their own, a very commendable attitude, but, however, with the cessation of war activities we find ourselves to have returned to a degree of normalcy. The commercial markets can supply the necessities of life, foodstuffs, to those who wish. One of the councillors in attendance brought out that in his section there was a definite clamor for the continuance of these gardens. I did not dispute him, but at the time I said one knows one's own section best. Therefore, in this order I ask the Park Department to discontinue the use of the playground in Franklin Field as grounds for victory gardens and return it to its former use. The residential opinion out there is that they want it restored to its former use. I trust that his Honor the Mayor and the Park Commissioner will confer and agree on this order.

President KELLY—Councillor Moriarty asks for suspension of the rules —

Coun. BAYLEY—Mr. President.

President KELLY—Talking on the order, Councillor Bayley.

Coun. BAYLEY—Mr. President, I am in accord with the order but I recognize it refers only to some of the victory gardens. In my section we have had victory gardens in the Fenway which served two or three wards, which have not been used as a playground, and in our section we hope they will be continued as victory gardens.

President KELLY—This refers to all space, particularly to Franklin Park.

Coun. BAYLEY—All or some?

Coun. MORIARTY—No, I believe I said some, Mr. President.

President KELLY—The Chair will rule that is right.

Coun. BAYLEY—I would like to have it "some," Mr. President, because in my section we want to continue. There are about a thousand people who want to get space.

President KELLY—It says "some."

Coun. BAYLEY—Thank you.

The order was passed under suspension of the rules.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. BRYAN, for the Committee on County Accounts, submitted the following:

Report on petition of Frank C. Walsh, Prison Officer in House of Correction (referred February 17) to be retired as veteran — recommending that same ought to pass.

Report accepted; said order passed.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Alfred Santosuosso (referred February 10) to be constable without power to serve civil process and to serve without bond for term ending April 30, 1947 — recommending that appointment be confirmed.

The report was accepted, and the question came on confirmation of the appointment. Committee,

Councillors Lane and Kinsella. Whole number of ballots 10, yeas 9, nays 1, and the appointment was confirmed.

COMMENDATION OF CITY CENSOR.

Coun. LANE and HANNON offered the following:

Whereas, The citizens of Boston have always been proud of the purity of our city and have ever striven to keep from the doors of Boston anything which might tend to lower the moral standards of our city, and

Whereas, The censorship of Boston has been repeatedly commended for the staunch support of all things morally right, and

Whereas, The City Censor of Boston visited New York City to attend and review a showing of the production "The Iceman Cometh" and as the result of this visit made the decision to ban some lines, or expressions of the show, and

Whereas, The City Censor has been severely and publicly criticised by the author, Eugene O'Neill, for his ban of filthy and unfit expressions from the stage of Boston theaters, therefore be it

Resolved, That the members of the Boston City Council, in meeting assembled, desire to commend Walter Milliken, City Censor, for his honesty of purpose, his courage, and determination to adhere strictly to the high moral code long enjoyed by the theatergoers of Boston.

Coun. LANE—Mr. President.

President KELLY—Councillor Lane.

Coun. LANE—Mr. President, we have all read in the local press in the last few days about the severe criticism directed at our official censor, Walter Milliken, by Eugene O'Neill, the noted dynamic, loquacious playwright in New York, regarding the discussion on his latest release "The Iceman Cometh." There was considerable talk Boston should ban the presentation if it attempted to come to Boston. As the result, the City Censor was invited to go to New York to view the play and offer his suggestions, which he did. He offered suggestions which would enable the playwright to bring the play "The Iceman Cometh" to Boston, but the playwright, Eugene O'Neill, failed to cooperate but came out with a press release prominently displayed in Boston and New York. We are all familiar with the fact that when John Casey, who was official censor in the City of Boston for twenty-four years, extending from 1903 to 1932—we are all familiar with the fact and we can recall clearly to mind he, too, had a tangle with the same Eugene O'Neill when O'Neill tried to bring to Boston the highly publicized "Strange Interlude" which failed to appear in Boston. We know that Walter Milliken, a young man taken from the Federal service, on leaving the service was taken by his Honor the Mayor and put in this position in the hope that as City Censor he would do a good job. He is doing a good job, he is enthusiastic, he is zealous. He feels to allow this play to come to Boston in its present form would not be proper to the theatergoers of Boston. Only yesterday in the Catholic *Pilot*, the official Catholic organ in the diocese of Boston, appeared the following editorial entitled "Barnum Would Understand." And the item follows:

"Barnum Would Understand"

If 'The Iceman' faileth to come to Boston, it is not because the play has been banned here, The play has not been banned! The Boston censorship office was invited to view the play in New York and offer suggestions. On the face, this appeared a sensible idea—a decent, realistic method of avoiding fuss and furor.

And right here is an opportunity to say that Walter Milliken and Beatrice Whelton, of the Boston censorship office, for the entire term of their service, have competently and conscientiously fulfilled the duties of an unthanked, delicate and onerous job.

The City Censor and his assistant enumerated about twenty-five words and phrases which they thought could be dropped from 'The Iceman Cometh' with no loss to the drama's impact and with advantage to good taste.

So we suggest that Eugene O'Neill is guilty of the cheapest demagoguery when he says "In reply to the idiotic demands of the Boston censorship, I can only say that I will not change, nor allow to be changed, one word of 'The Iceman

Cometh"! Actually, the Boston censorship has served no 'demands' idiotic or unidiotic. Like a child in the dentist's chair, Mr. O'Neill howls before the dentist has even said 'please open wide.'

'The Iceman Cometh' is incredibly dreary and dirty, as near literal ditch water as language can become. It is a failure. Patrons trickle past the turnstiles — and leave after the second act.

So Mr. O'Neill's strategy is clear. If he can convey that 'The Iceman' has been 'banned in Boston' he may entice the patronage of that prurient, unhappy legion who can't resist forbidden fruit. But the trick is getting transparent by now. We believe that it won't work.

This despairing, filthy play—replete with tavern dialogue lower than the conversation in real taverns—is also unbelievably dull. If 'The Iceman' stayeth away from Boston forever, if he never showeth his vacuous, dirty face here, the city should congratulate itself. Life is beset with many inevitable boredoms—it seems silly to add another and pay admission to endure it."

Mr. President, I certainly think our City Censor is to be complimented, and I hope that this is passed under the suspension of the rules.

The order was passed under suspension of the rules.

President KELLY—The Chair will appoint Councilor McCormack chairman of the Executive Session.

BOSTON WATERWAYS PETITION.

Coun. MUCHNICK—Mr. President, I would like to make a motion.

President KELLY—You are in order, Councilor Muchnick.

Coun. MUCHNICK—I move the petition of the Boston Waterways be taken from the Committee on Licenses to the floor of the Council.

President KELLY—Will the gentleman withdraw that motion until after the Executive Session?

Coun. MUCHNICK—I understand there are several members who are anxious to leave quickly, and I would like to get this disposed of.

President KELLY—The Chair will put the motion. Councilor Muchnick makes a motion that the petition of the Boston Waterways be withdrawn from the Committee on Licenses.

Coun. MUCHNICK—Mr. President, I would prefer to be speaking on this motion if the committee were in the room.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—On February 3, Mr. President, on page 94 of the record, at the top of the page, Councilor Linehan asked for a point of information. He wanted to know when the petition of the Boston Waterways would be acted on, and I quote from the record the answer of Councilor Coffey, chairman of the committee:

"Mr. Fairbank was present at the meeting Friday. He has agreed as to the toll after a check is taken on all cabs used in the Summer Tunnel. The check-up is to be today, tomorrow and Friday. We are also getting a ruling from the Law Department as to whether or not we can put a clause in there asking Mr. Fairbank at no time to ask that the Northern Avenue Drawbridge be opened, an agreement which Mr. Fairbank made. Then we told Mr. Fairbank action would be taken a week from today. He agreed to that, also."

That is the end of the statement by the chairman of the committee. That took place February 3, 1947, just a little while before the meeting adjourned. Now, it seems to me that in view of that statement having been made by the chairman of the committee and in view of the fact that an agreement was allegedly entered into with the petitioner that he would have action on February 10, that we ought to take that from the committee today and vote. It is long after February 10.

President KELLY—The question is on taking this from the Committee on Licenses. Those in favor, please rise.

Coun. MUCHNICK—May I ask you to ring the bell?

President KELLY—I have been ringing it for five minutes, councilor. Those in favor of the motion will please rise. It is not a vote.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—It is my understanding that this has been in the committee for four weeks and under those circumstances it seems to me the vote should only require a majority.

President KELLY—The Chair will rule under Rule 14 if within 30 days a matter referred to a committee is not reported upon, it may be returned by a two thirds vote of all the members. The Chair will rule it has not been in the committee for 30 days.

Coun. MUCHNICK—I doubt the vote, Mr. President, and I ask for a roll call.

President KELLY—Sufficient members having joined, the clerk will call the roll.

The roll was called, with the following result:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hannon, Keenan, Lane, Linchan, McCormack, Muchnick—11.

Nays—Councilor Sullivan—1.

Present—Councilors Kelly, Kinsella, Russo—3.

President KELLY—Eleven votes in the affirmative and one in the negative, and the motion is lost.

RECESS.

On motion of Councilor Russo the Council voted at 3.40 p. m., to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 3.53 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

Report on message of Mayor and order (referred August 5, 1946) authorizing Public Buildings Department to lease space in markets at annual rental of 25 per cent more than present rental, etc.—that same ought to pass.

The report was accepted, and the order was passed.

TRAFFIC SIGNALS AT CERTAIN HUNTINGTON AVENUE INTERSECTIONS.

Coun. SULLIVAN, for Councilor Carey, offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals on Huntington avenue, at the intersection of Francis street, and also on Huntington avenue, between Wait street and Fenwood road, in Ward 10.

* Passed under suspension of the rules.

EASTERN AVENUE WHARF LEASE.

Coun. McCORMACK offered the following:

Ordered, That his Honor the Mayor instruct the Corporation Counsel to investigate the 999-year lease on Eastern Avenue Wharf, Atlantic avenue, with the hope of cancelling this lease.

Coun. McCORMACK—Mr. President.

President KELLY—Councilor McCormack.

Coun. McCORMACK—In 1941, Mr. President, I made an investigation of a lease of the Eastern Avenue Wharf. This lease was given for 999 years. The city at that time could have bought the property, the fee of the property, for \$275,000. At the end of 999 years, the city will have paid \$3,648,000 in rent, and the land will go back to the original grantors. I recommended to Mayor Tobin at that time that he stop payment, and he

did, and to my amazement last week at the budget hearing I understood from the City Auditor that payments have again been resumed. I gave the Mayor a report at that time that it was an abuse of power, that no Mayor or any city official had the right to tie up future generations. The lease has 904 years to go, and it will cost the city \$3,616,000 in rent. My suggestion is that the city buy the fee from the present owner which can be had for \$50,000 to \$75,000 and save the city that additional money.

The order was passed under the suspension of the rules.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of William J. Jeffers (referred February 3) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Highway Division, Public Works Department, recommending passage of the accompanying order, viz.:

Ordered, That the sum of fifty dollars (\$50) be allowed and paid to William J. Jeffers in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Highway Division, Public Works Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

Adjourned, on motion of Councilor Sullivan at 4 p. m., to meet on Monday, March 3, 1947 at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 3, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Carey, Fish, Hurley, Scannell.

The meeting was opened with the salute to the Flag.

JURORS DRAWN.

Jurors were drawn, Councilor Russo presiding at the box in the absence of the Mayor, as follows:

One hundred and sixty-one traverse jurors, Superior Court, Civil Session, and 62 traverse jurors, Superior Court, Criminal Session, viz.:

Sixty-two traverse jurors, Superior Criminal Court, to appear April 7, 1947:

Vincent J. Cupiraggi, Ward 1; Edward N. Doherty, Ward 1; Frank Johnson, Ward 1; Joseph Vella, Ward 1; William J. Hanley, Ward 2; Flurry McCarthy, Ward 2; William Doherty, Ward 3; Henry Jupillat, Ward 3; Craig Nicoll, Ward 3; Stanley Schirl, Ward 3; Jack Wizansky, Ward 3; Richard Zata, Ward 3; Charles M. Foggie, Ward 4; George P. Darlington, Ward 5; John A. Rourke, Ward 6; William J. Kennedy, Ward 7; John L. Yates, Ward 7; Joseph F. Bettencourt, Ward 8; Andrew T. Bird, Ward 8; Thomas W. Gill, Ward 8; Alexander F. Gillis, Ward 9; Paul Vergakes, Ward 9; Henry F. Fogel, Ward 10; David Friedman, Ward 10; William A. MacLeod, Ward 10; Andrew Pano, Ward 10; Joseph D. Ruprecht, Ward 10; Joseph P. Donovan, Ward 11; Hugh J. Mahoney, Ward 11; Horace E. Partridge, Ward 11; Charles W. Dingley, Jr., Ward 12; Leo H. Gold, Ward 12; Louis H. Sairvitz, Ward 12; Joseph M. Wheeler, Ward 12; John E. Wheldon, Ward 12; Michael Connolly, Ward 13; Alfred M. Pike, Ward 13; Morris Gorin, Ward 14; Paul J. Houlihan, Ward 14; Philip Miller, Ward 14; Nathan Finkel, Ward 15; George H. Hanlon, Ward 15; Frederick A. Finocchi, Ward 16; Jacob Ginsburg, Ward 17; Lyman M. Mason, Ward 17; Stephen J. McDonough, Ward 17; Maurice P. Shedd, Ward 17; Andrew F. Thompson, Ward 17; George L. Crosby, Ward 18; John T. Freitas, Ward 18; William A. McIntyre, Ward 18; John Miller, Ward 18; Patrick L. McNeil, Ward 20; Paul Page, Ward 20; Arthur E. Stenberg, Ward 20; John E. Fanning, Ward 21; Warren J. Kaufman, Ward 21; Paul Meyer, Ward 21; Cornelius W. Owens, Ward 21; Benjamin Schultz, Ward 21; Israel D. Seagal, Ward 21; Samuel Kotzen, Ward 22.

One hundred sixty-one traverse jurors, Superior Civil Court, to appear April 7, 1947:

Thomas Albanese, Ward 1; Charles Bellavia, Ward 1; Frederick V. Bradley, Ward 1; Biagio Castrucci, Ward 1; Domenic Cioto, Ward 1; Peter F. Costagliola, Ward 1; Pasquale Cutillo, Ward 1; Luigi D'Addio, Ward 1; Michele Iannaccone, Ward 1; Andrew Kondrasky, Ward 1; Thomas N. Steiner, Ward 1; Joseph Visto, Ward 1; Harold Fardig, Ward 2; Thomas C. Holmes, Ward 2; Ralph Maglio, Jr., Ward 2; Charles S. Aymie, Ward 3; Ambrose Carangelo, Ward 3; Robert H. Collicott, Ward 3; Fred H. Corbett, Ward 3; Mariano Corsom, Ward 3; Peter Couloras, Ward 3; Alfredo A. DeMarco, Ward 3; Joseph Demino, Ward 3; Joseph Mercier, Ward 3; Albert A. Testa, Ward 3; Foster Whitehouse, Ward 3; Hiram R. Goldman, Ward 4; George D. Hubbard, Jr., Ward 4; Joseph Manning, Ward 4; Maurice Potter, Ward 4; Arthur K. Tracie, Ward 4; Joseph Alesi, Ward 5; Thomas D. Blume, Ward 5; Arcangelo DiStefano, Ward 5; Roy E. Field, Ward 5; Charles E. Marsters, Ward 5; John M. Murray, Ward 5; George Naida, Ward 5; Charles Parquette, Ward 5; J. Bain Thompson, Ward 5; Joseph B. Tompkins, Ward 5; Mathew Canning, Ward 6; John C. Cazan, Ward 6; William P. Connors, Ward 6; Edward J.

Connolly, Ward 6; Ernest E. Flanagan, Ward 6; Bartley Joyce, Ward 6; John Sullivan, Ward 6; Edmond M. Thibodeau, Ward 6; Hubert K. Wright, Ward 6; Sigurd R. Anderson, Ward 7; Harold F. Barry, Ward 7; Elmer J. Blanchard, Ward 7; Alexander A. Conway, Ward 7; Michael J. Cox, Ward 7; Anthony F. Egan, Ward 7; John G. Lynch, Ward 7; Patrick Powers, Ward 7; James P. Egan, Ward 8; Winslow A. Hanf, Ward 8; Thomas E. Holmes, Ward 8; Arthur J. Hunkins, Ward 8; Frank J. Keohane, Ward 8; Morris Moroch, Ward 8; John A. Thornton, Ward 8; George B. Coulthurst, Ward 9.

Arthur Anthony, Ward 10; John Timothy Casey, Ward 10; Edward J. Englehart, Ward 10; Lauchlin Matthews, Ward 10; Joseph G. Bourke, Ward 11; Harvey E. Generoux, Ward 11; Patrick P. Golden, Ward 11; Charles Chapman, Ward 12; Richard G. Hustins, Ward 12; Lewellyn P. Johnson, Ward 12; Joseph Lambert, Ward 12; William Lauber, Ward 12; James K. Makris, Ward 12; Maximillian M. Sarill, Ward 12; Benjamin Siegal, Ward 12; James F. Barry, Ward 13; Harry J. Doyle, Ward 13; John R. Kehoe, Ward 13; James L. Murray, Ward 13; Harry D. Atkins, Ward 14; Simon H. Coopersmith, Ward 14; Abraham Davidson, Ward 14; Max Duban, Ward 14; Fred J. Harrington, Ward 14; Samuel Kaufman, Ward 14; Michael Seligman, Ward 14; Norman Serser, Ward 14; Louis Simon, Ward 14; Harry Slomovich, Ward 14; Daniel V. Clifford, Ward 15; George J. Doyle, Ward 15; Henry C. Hansen, Ward 15; Joseph P. MacDonald, Ward 15; William L. Mullen, Ward 15; Edward P. Silva, Ward 15; Nicholas Tortell, Ward 15; Frank J. Connaughton, Ward 16; John J. Frazier, Ward 16; Allan K. Hamer, Ward 16; Leo W. Laflame, Ward 16; James H. Northall, Ward 16; James P. O'Connor, Ward 16; Thomas S. Pynn, Ward 16; Thomas M. Traverse, Ward 16; Clarence D. Crosby, Ward 17; John Dwyer, Ward 17; William C. Dyer, Ward 17; John L. Frankford, Ward 17; Albert N. Hird, Ward 17; Solomon Gross, Ward 17; Alexander C. McIver, Ward 17; Daniel Schlessinger, Ward 17; Arthur J. Stoukus, Ward 17; Harry G. Weaver, Ward 17; Frank Crowder, Ward 18; William J. Dunn, Ward 18; Sidney Feitelberg, Ward 18; Charles Graumann, Ward 18; Warren F. Hooton, Ward 18; John MacCallum, Ward 18; Frederic Mills, Ward 18; Rocco S. Pancioeco, Ward 18; Albert J. Smith, Ward 18; Alfred V. Thompson, Ward 18; Charles R. Young, Ward 18; Ralph H. Blanchard, Ward 19; James E. Delory, Ward 19; James H. Donovan, Ward 19; Francis V. Ryan, Ward 19; William J. Cornwell, Ward 20; Anthony Donegan, Ward 20; Clayton C. Flaherty, Ward 20; William R. Kay, Ward 20; Albert G. Lister, Ward 20; Frederick L. Peterson, Ward 20; Fred J. Powers, Ward 20; John W. Reth, Ward 20; John R. Yates, Ward 20; George W. Blacklock, Ward 21; Ernest P. Cavagnaro, Ward 21; Joseph Dalevitch, Ward 21; Max Fishman, Ward 21; Edmund J. Fitzgerald, Ward 21; Ragin E. MacAllister, Ward 21; John Jacob Meister, Ward 21; Frederick J. Moran, Ward 21; Melvin H. Simons, Ward 21; John R. Thurrott, Ward 21; Jeremiah M. Toomey, Ward 21; Nicholas H. Colomey, Ward 22; Joseph R. Kagan, Ward 22; Louis P. Murphy, Ward 22; Richard H. Nauer, Ward 22; John F. Reen, Ward 22; Harold R. Shea, Ward 22.

APPOINTMENTS BY THE MAYOR.

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

John P. Cronin, 33 Brackett street, Brighton, Mass., Constable without power to serve civil process, and to serve without bond for term ending April 30, 1947.

Weighers of Goods, for term ending April 30, 1947:

Edward D. Landry, 66 Simpson avenue, Somerville, Mass.; and Thomas F. Culkeen, 195 Medford street, Charlestown, Mass.

Weighter of Coal, for term ending April 30, 1947: Sidney M. Limer, 584 Washington street, Brookline, Mass.

Severally referred to the Committee on Constables and Confirmations.

HAULING OF CLAY FILL BY WALTER REED CORPORATION.

The following was received:

City of Boston,
Office of the Mayor, February 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, relative to your order dated February 10, 1947, concerning the hauling of clay fill by the Walter Reed Corporation in Ward 7.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 24, 1947.

To Mr. J. Joseph Connors, Secretary, Mayor's Office.

From Robert P. Curley, Commissioner, Public Works Department.

Subject: Order in Council, February 10, 1947.
Receipt is acknowledged of your memorandum of February 13, attaching copy of order in Council, February 10, 1947, as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to take immediate steps to compel the Walter Reed Corporation to keep Boston street, Ward 7, clean, from the vicinity of St. Mary's School to Willow Court."

I now have a report from the Sanitary Division Chief Supervisor stating that on February 9, 1947, the Walter Reed Corporation furnished six men and a truck to clean Boston street, and in addition, is making every effort to keep streets in immediate area clean by a street-cleaning patrol.

It is expected that all hauling of this excavation material will be completed by April 1.

ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

UNCOVERED DUMP TRUCKS.

The following was received:

City of Boston,
Office of the Mayor, February 27, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Health Commissioner, relative to your order dated February 10, 1947, concerning uncovered dump trucks travelling in the vicinity of Old Harbor Village, Ward 7.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Health Department, February 25, 1947.
To Hon. James M. Curley, Mayor of Boston.
From John H. Cauley, M. D., Commissioner of Health.

Subject: Council Order, February 10, 1947.

Dear Sir,—We have your memorandum of February 13, 1947, transmitting to this department the City Council order of February 10, 1947, requesting the Health Commissioner to compel dump trucks traveling along Old Colony avenue, in the vicinity of Old Harbor Village, to travel in such a way as to prevent refuse from dropping off said trucks into Old Colony avenue, Ward 7.

Private contractors and persons collecting refuse in the City of Boston receive a license from the Public Works Department and one of the provisions of such a permit is to have proper covers for the trucks.

On February 3, 1947, the chief inspector and the district inspector of the Housing and Sanitation Division of this department while making a routine examination of the Mile Road area in Dorchester noted a truck travelling towards the Coleman Brothers Dump on the Mile Road with the truck uncovered. The truck was identified and the company owning the truck was contacted and notified to provide proper canvas covers. On several subsequent days, a number of other trucks were stopped and the operators were notified to properly cover their trucks.

Due to these conditions involving the littering of public streets, the Police Department was contacted and for the past two weeks a police officer has been stationed in this vicinity stopping the offending trucks and taking court action when necessary.

During the past ten days conditions have greatly improved at this area.

Our inspectors are still making daily observations and will continue to do so until satisfied that this matter has been cared for properly.

Respectfully,
JOHN H. CAULEY, M. D.,
Health Commissioner.

Placed on file.

TYLER STREET BRANCH LIBRARY.

The following were received:

City of Boston,
Office of the Mayor, February 27, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Superintendent of Public Buildings, relative to your order of February 17, 1947, concerning the placing in first-class condition a part of the Municipal Building on Tyler street, for use as a Branch Public Library.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
February 26, 1947.

Mr. J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—Referring to order submitted to the City Council by City Councilor Coffey for City Councilor Russo, to put in first-class condition a portion of the Oak and Tyler Street Municipal Building for the purpose of using same as a Branch Public Library.

Would advise you that four months ago at a conference in his Honor Mayor Curley's office with Mr. Lord, library trustees, and myself, it was agreed that the present School Supply Department located at Oak and Tyler streets be transferred to another location and these quarters be renovated in order to provide a suitable Branch Public Library at this building.

Very pleased to inform you that a special appropriation to take care of the above outlined change is prepared and will be submitted to the Council for their approval.

Yours truly,
JAMES E. SULLIVAN,
Superintendent of Public Buildings.

City of Boston,
Office of the Mayor, February 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the director of the Boston Public Library, relative to your order of February 17, 1947, concerning the reopening of the Tyler Street Branch Library in Ward 3.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Library Department, February 25, 1947.
Mr. J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Mr. Connors,—I wish to acknowledge receipt of your transmittal under date of February 19, 1947, of the order passed by the City Council on February 17, 1947, in which the Trustees of the Public Library are requested to reopen the Tyler Street Branch Library in Ward 3.

For the information of the Council I wish to state that his Honor the Mayor has made arrangements whereby funds are to be available from the appropriations of the Public Buildings Department in the current fiscal year 1947 to permit certain building rearrangements and alterations, whereby the Library's School Issue Department, at present located in the Tyler Street Municipal Building, will be moved to quarters in the South End Municipal Building, and the quarters thus vacated in the Tyler Street Municipal Building will become available for the reestablishment of a library reading room for the benefit of the residents of the Tyler street area.

It is understood that, as soon as the 1947 appropriations are made available by the action of the City Council to the Public Buildings Department, steps will be taken forthwith to carry out the building rearrangements and alterations mentioned above, and that the library reading room in the Tyler street area will be reestablished immediately thereafter.

Yours sincerely,
MILTON E. LORD, Director.

Severally placed on file.

DISCONTINUANCE OF CERTAIN
VICTORY GARDENS.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department relative to your order of February 24, 1947, concerning the advisability of discontinuing some of the Park Department lands for the purpose of victory gardens, and to restore these areas to their former use as recreational spaces, in particular, the Playstead area in Franklin Park.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, February 28, 1947.
Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—This will acknowledge receipt of memo. from office of the Mayor with enclosure, order from the Boston City Council requesting that the Park Commissioner consider the advisability of discontinuing some Park Department lands for the purpose of victory gardens and to restore these areas to their former use as recreational spaces. The order refers in particular to the Playstead area in Franklin Park and was filed by Councilors Moriarty and Cook.

Councilor Moriarty has filed with the Park Commissioner a petition with several hundred names requesting that the Playstead area at Franklin Park, which heretofore has been used as a garden area, be returned to use as a recreational area.

Your memo, with the accompanying order from the two councilors, and the petition filed at this office by Councilor Moriarty, will be called to Mr. Long's attention immediately upon his return.

Very truly yours,
ARTHUR J. O'KEEFE, Secretary.

Placed on file.

TEMPORARY LIBRARY QUARTERS IN
NEPONSET SECTION.

The following was received:

City of Boston,
Office of the Mayor, February 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Director of the Public Library of the City of Boston relative to your order of February 17, 1947, concerning the provision of temporary library quarters in the Neponset section.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Library Department, February 25, 1947.
Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Mr. Connors,—I have your transmittal under date of February 19, 1947, of the order passed by the City Council on February 17, 1947, requesting that the Trustees of the Public Library provide temporary library quarters in the Neponset section.

For the information of the Council I wish to state that steps are being taken actively, (1) looking toward the putting of the quarters occupied by the Neponset Branch Library into condition satisfactory to the Building Commissioner of the City of Boston as meeting the requirements of the public safety, and (2) looking also toward providing temporary quarters for the branch library activities during the period necessary for putting the permanent quarters of the Neponset Branch Library into condition to meet the requirements of the public safety.

An offer has been received from the local post of the Veterans of Foreign Wars in Neponset to make its quarters at 10 Minot street available temporarily for the branch library activities. Steps are being taken at once looking toward the setting up of temporary library activities in these quarters.

I should state further that the quarters occupied by the Neponset Branch Library are privately owned, and not by the City of Boston, and that the necessary steps putting these quarters into satisfactory condition to meet the requirements of

the public safety rest with the owners of the property rather than with the Library as such. All steps possible are being taken to expedite having this done.

Yours sincerely,
MILTON E. LORD, Director.

Placed on file.

SIDEWALK INSTALLATION, WARD 7.

The following was received:

City of Boston,
Office of the Mayor, February 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of February 17, 1947, concerning the installation of granolithic sidewalks on both sides of East Sixth street in Ward 7.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 25, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works install granolithic sidewalks on both sides of East Sixth street, Ward 7, and this will advise you that this street will be put on the list of streets to be given consideration during the 1947 construction season.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

LIGHTING SYSTEM, BROOKLEDGE
STREET, WARD 12.

The following was received:

City of Boston,
Office of the Mayor, February 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of February 17, 1947, concerning the improvement of the lighting system on Brookledge street, Ward 12.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 25, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works improve the lighting system on Brookledge street, Ward 12.

Please be advised that the lighting service of the Public Works Department will have a survey made of this street with a view to improving the present lighting system.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

LIGHTING SYSTEM, SPRING PARK
AVENUE, WARD 19.

The following was received:

City of Boston,
Office of the Mayor, February 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to Council order of February 17, 1947, in connection with correcting the lighting system on Spring Park avenue, Ward 19.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 25, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works

take immediate steps to correct the lighting system on Spring Park avenue, Ward 19.

Please be advised that the lighting service of the Public Works Department will have a survey of this street made with a view to making the changes as requested.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

SALE OF SEWING MACHINES.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the chairman of the Public Welfare Department in which it is requested that authority be granted for the sale of the sewing machines, described in the communication, which are no longer needed for any public purpose.

In view of the fact that this surplus equipment is still scarce on the market, I deem it the part of wisdom to dispose of it at a time when its sale should bring a substantial return to the city. For this reason, I respectfully recommend passage of the accompanying order by your Honorable Body, providing for the sale of this equipment at public auction.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Overseers of the Public Welfare,
February 17, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—Authority is hereby requested of your Honor and the members of the Boston City Council for the sale of the sewing machines described below which are no longer needed for the purpose for which they were bought for this department and, therefore, request is made that they be disposed of by public auction to be conducted by Mr. Irving Lewis, Chairman of the Real Estate Commission, in that the sale value will undoubtedly exceed five hundred dollars (\$500):

Home Type, National.—Heads and cabinets, 485; heads only, 108; head (broken), 1; cast heads, 21.

Singer.—Heads and cabinets, 3.
Commercial Type, Heads Only.—Wheeler & Wilson, 399; Singer, buttonhole, 10; special, 8; Singer, 92; Union Special, buttonhole, 11; Metropolitan shirtfacers, 2; Standard, 3; Beacon Special, 1; miscellaneous, 3; cutting machines (miscellaneous), 7.

Very truly yours,
MARGARET J. GOOKIN, Chairman.

Ordered, That the Public Welfare Department be authorized to sell, at public auction, the following-named equipment, no longer needed for public purposes, viz.:

Sewing Machines.

Home Type, National.—Heads and cabinets, 485; heads only, 108; head (broken) 1; east heads, 21.

Singer.—Heads and cabinets, 3.
Commercial Type, Heads Only.—Wheeler & Wilson, 399; Singer, buttonhole, 10; special, 8; Singer, 92; Union Special, buttonhole, 11; Metropolitan shirtfacers, 2; Standard, 3; Beacon Special, 1; miscellaneous, 3; cutting machines (miscellaneous), 7.

Referred to Executive Committee.

SALE OF PIGS, DEER ISLAND.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1947.
To the City Council.

Gentlemen,—I submit herewith an order for the sale of three hundred pigs at the House of Correction, Deer Island.

It would appear from the attached communication of the Acting Penal Institutions Commissioner that these pigs are surplus, and should bring the sum of approximately three thousand dollars to the City Treasury.

I favor the sale of these surplus pigs, and respectfully recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Penal Institutions Department,
January 18, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—At the present time we have a surplus of three hundred (300) pigs at the House of Correction, Deer Island, which we would like to sell.

At present the market price is so that by the sale of these pigs the City of Boston could be enriched by approximately three thousand dollars (\$3,000).

Therefore, we respectfully request permission to dispose of this surplus stock of pigs.

Very truly yours,
JOHN F. NEVINS,
Acting Penal Institutions Commissioner.

Ordered, That the Commissioner of the Penal Institutions Department be, and hereby is, authorized to sell three hundred surplus pigs at an approximate price of three thousand dollars for the lot.

Referred to Executive Committee.

SALE OF PROPERTY ON ELMWOOD STREET, ROXBURY.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1947.
To the City Council.

Gentlemen,—I forward herewith an order for the sale of property at 14 Elmwood street, Roxbury, to the Eliot Square Post, No. 356, American Legion.

At the present time this property is occupied by this veterans organization, and I have been given to understand that this organization has spent a sizeable amount on the property to make it fit to occupy. I am also informed by the Superintendent of Public Buildings that considerable more work must be done on the property before it can be placed in good condition.

In view of these circumstances, and in view of the fact that this property is no longer needed by the city for any public purpose, I recommend that it be sold to the above-named organization for the sum of two hundred dollars.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
September 6, 1946.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—Referring to the letter of August 9, 1946, regarding an offer by the Eliot Square Post No. 356, American Legion, of two hundred (200) dollars to purchase the building and land at 14 Elmwood street, Roxbury, which at present is leased by the City of Boston to the John E. Gilman Camp No. 44 of the Sons of Union Veterans, for \$1 per year, which organizations have permitted joint occupancy of both.

This building is in rather poor condition as painting is required on both interior and exterior surfaces, windows are in need of repair, and plumbing and heating systems have to be completely gone over. In view of the condition of this building and the further fact that this offer if accepted will benefit a veterans' organization, I favor the acceptance of this offer.

If this offer is accepted, I have been informed by Mr. Pickett, Commander of the Eliot Square Post No. 356, American Legion, that satisfactory arrangements have been made to allow the John E. Gilman Post the necessary number of evenings that they will require to hold their meetings.

Very truly yours,
JAMES E. SULLIVAN,
Superintendent of Public Buildings.

Whereas, The City of Boston owns in fee a certain parcel of land containing approximately three thousand five hundred nine (3,509) square feet of land, together with the building thereon, situated on the westerly side of Elmwood street, at the

corner of Elmwood court in the Roxbury district of the City of Boston; and

Whereas, The said parcel of property is no longer required for public purposes; now, therefore, it is hereby

Ordered, That his Honor the Mayor of the City of Boston he, and he hereby is, authorized in the name and behalf of the City of Boston to sell at private sale for the sum of two hundred dollars (\$200) to the Eliot square of Roxbury Post No. 356, American Legion, Inc., all the City of Boston's right, title and interest in and to the said parcel of property, hereinafter described, and to execute and deliver a deed thereof satisfactory in form to the Law Department of the City of Boston. The said parcel of property is bounded and described as follows:

Easterly by the westerly line of Elmwood street, thirty-nine and 95-100 (39.95) feet; southerly by land now or formerly of John C. Goehring *et al.* and of Carl Bisenbach *et al.*, eighty-one and 30-100 (31.30) feet; westerly by other land of the City of Boston by a line through the center of brick wall, forty-eight (48) feet; northerly by the southerly line of Elmwood court, seventy-nine and 14-100 (79.14) feet, containing three thousand five hundred nine (3,509) square feet of land, more or less. Said parcel of land, the location of the building thereon, and all of said measurements are shown on a plan marked "City of Boston, Elmwood Court, Elmwood Street, Roxbury, February 11, 1947, Thomas F. McGovern, Chief Engineer, Street Laying-Out Department." The original plan is on file in the office of the Street Laying-Out Department, City Hall, Boston, Mass.

Referred to Committee on Public Lands.

AMENDMENT TO COMPENSATION AND CLASSIFICATION PLANS.

The following was received:

City of Boston,
Office of the Mayor.

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,
JAMES M. CURLEY, Mayor.

City of Boston,
Budget Department.

To the Mayor and City Council.

Gentlemen,—Chapter 185, section 10-A, of the General Laws provides that "the assistant recorder in any registry district, may, with the approval of the judge, appoint one or more technical assistants whose compensation shall be fixed by the judge, subject to the provisions of Sections 48 to 56, inclusive, of Chapter 35. Said assistants shall perform such duties as the court may from time to time assign to them."

Rule 3, "Classification of New Positions," of the "Rules for the Administration of Classification and Compensation Plans for the Employees of Suffolk County," provides, in part, that "whenever a new position is established . . . 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."

The Register of Deeds for the County of Suffolk, acting in his capacity as Assistant Recorder of the Land Court, has, with the approval of the Judge of the Land Court, requested the establishment of the classification "Technical Assistant," the compensation for which has been fixed by the Judge of the Land Court at \$4,900 per annum.

Complying with the requirements of Rule 3 of the County Plan, I have made an investigation of the actual and proposed duties and responsibilities of this position, and recommend the establishment of the following new classification:

Title of Class: Technical Assistant.

Duties: Under general direction of the Judge of the Land Court and the Register of Deeds, acting in his capacity as Assistant Recorder of the Land Court, to take full charge of the Registered Land Division for the County of Suffolk, which includes the acceptance of original documents for registra-

tion, dictating of new certificates, checking of instruments for signature, and other related work as required.

Fixed Salary: Annual, \$4,900.

In view of the fact that there is an existing classification of "Technical Assistant" in the County Classification Plan, and again acting under the provisions of Rule 3, I recommend that this classification be changed to read "Laboratory Assistant," which title, in my opinion, more accurately covers the duties as set forth in the Plan.

Respectfully yours,

JOHN A. SULLIVAN,
Budget Commissioner.

Ordered, That the Compensation and Classification Plans for the Officers and Employees of Suffolk County, as amended, be, and hereby are, further amended as follows:

Insert the following new classification:

Title of class: Technical Assistant.

Duties: Under general direction of the Judge of the Land Court and the Register of Deeds, acting in his capacity as Assistant Recorder of the Land Court, to take full charge of the Registered Land Division for the County of Suffolk, which includes the acceptance of original documents for registration, dictating of new certificates, checking of instruments for signature, and other related work as required.

Fixed Salary: Annual, \$4,900.

Strike out under the Title of Class, the present classification of "Technical Assistant," and insert in place thereof the Title of Class, "Laboratory Assistant," the duties and range of compensation under this classification to remain unchanged.

Referred to Committee on County Accounts.

PETITIONS REFERRED.

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

Claims.

Kenneth L. Bradbury, for compensation for injuries and damage to car by car of Fire Department.

Walter H. Breslin, for compensation for damage to car by city truck.

Edward Brosemer, to be reimbursed as result of execution issued against him.

Frank C. Burns, to be reimbursed for executions issued against him.

Paul H. Curtis, to be reimbursed for execution issued against him.

George C. Hallisey, to be reimbursed for loss of clothing while in performance of duty as employee of Street Laying-Out Department.

Robert E. Harrington, to be reimbursed as result of accident which occurred while in performance of duty as employee of Fire Department.

Home Decorating Company, Inc., for compensation for damage to truck by truck of Public Works Department.

Mary A. Kelly, for compensation for damage to property at 29 Burton street, caused by backing up of sewage.

Dorothea C. Mahoney, for compensation for injuries caused by an alleged defect at 558 East Broadway.

James D. McCarthy, for compensation for loss of clothing while in performance of duty as employee of Street Laying-Out Department.

Melvin J. Melanson, to be reimbursed for executions issued against him.

Thomas Murphy, to be reimbursed as result of accident which occurred while in performance of duty as employee of School Committee.

Frank Rogers, Jr., to be reimbursed for loss of tools in fire at Highland street garage.

Joseph M. Rohan, to be reimbursed as result of accident which occurred while in performance of duty as employee of Sanitary Division.

United States Coast Guard, to be reimbursed for duplicate payment on various water bills.

James J. Cox, to be reimbursed as result of accident which occurred while in performance of duty as employee of Public Works Department.

Catherine A. Doyle, for compensation for damage to property at 738 Bennington street, caused by water being shut off.

Thomas E. Walsh, for compensation for damage to property at 5 Haven street, caused by water entering cellar.

COMMITTEE ON LICENSES.

Petition of Boston Elevated Railway to operate motor vehicles over Hill Top street, between Granite avenue and Hallet street, in either direction.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Alfred Blaustein, having been duly approved by the City Treasurer, was received and approved by the Council.

RESIGNATION OF LEO E. HYNES.

Notice was received of the resignation of Leo E. Hynes as constable.
Placed on file.

ELECTION OF MARGARET A. LEARSON.

Notice was received from the Boston Retirement Board of election of Miss Margaret A. Learson as member of the Retirement Board, her term being from March 1, 1947, to September 30, 1948.
Placed on file.

APRIL 19 AS NATIONAL HOLIDAY.

Coun. BAYLEY offered the following:
Resolved, That the Boston City Council in session assembled hereby urges that favorable action be taken by the Committee on the Judiciary at Washington on House Joint Resolution 46, of 1947, filed by Congresswoman Edith Nourse Rogers, asking that national recognition be given to the 19th day of April, 1775, by authorizing and requesting the President of the United States to proclaim April 19th of each year as Patriots' Day for the commemoration of the events that took place on April 19, 1775, and inviting the people of the United States to observe the day with appropriate ceremonies in commemoration of the patriots who laid down their lives for the cause of independence.

Referred to the Committee on Rules.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of George W. Girvan (referred January 27) for amount of execution issued against him on account of his acts as operator of patrol wagon belonging to Station 9 of the Police Department—recommending passage of the accompanying order, viz.:

Ordered, That the sum of two hundred sixty-seven dollars and thirty-seven cents (\$267.37) be allowed and paid to George W. Girvan 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.

The report was accepted, and the order was passed.

REPORT REQUESTED ON VETERANS' HOUSING PROGRAM.

Coun. LINEHAN and HANNON offered the following:

Ordered, That his Honor the Mayor request the Boston Housing Authority to make an early report to the Boston City Council relative to the progress of the City of Boston's ten million dollar Veterans' Housing Program for construction of one- and two-family houses.

The order was passed under suspension of the rules.

REQUESTED CANCELLATION OF CERTAIN CONTRACTS.

Coun. KEENAN offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Fire Commissioner to cancel any contract he may have with the Seagrave Corporation and the American-LaFrance Foamite Cor-

poration for fire apparatus due to the fact that these concerns have been indicted by the Federal Grand Jury for collusion.

Coun. KEENAN—On July 2, 1946, the City of Boston awarded a contract to American-LaFrance Foamite Corporation for four pieces of apparatus at a price of \$13,055. They were the third highest bidder. Mack Motor Company of 75 North Beacon street of Boston, Massachusetts, was awarded a bid for three pieces at \$12,733.31, and another award went to Ward LaFrance Truck Division of Great American Industries of New York City, a contract for three pieces of apparatus for \$12,300. His Honor the Mayor sought to award the contract to American-LaFrance Company for the apparatus although they were the highest bidder. On February 23 of this year in the *Boston Post* was an article which stated the United States has indicted the American-LaFrance Company for the monopoly of fire equipment, not only in the City of Boston but the outlying communities. The Fire Commissioner said that the American-LaFrance Company contracted with the city last July to supply the new equipment but up to date the city has received none of the apparatus ordered six months ago nor heard when it can expect delivery. Mr. President, I made it my business to contact the other companies and they tell me they can deliver the other four pieces of apparatus for less money and quicker than the American-LaFrance Company that his Honor the Mayor awarded the contract to, although they were the third highest bidder. I ask that this order be sent to the Executive Committee and that the Fire Commissioner be notified to come up here to explain to us why the apparatus has not been delivered and the bid not awarded to the lowest bidder.

The order was referred to the Executive Committee.

BURGLAR ALARM EQUIPMENT AT HOUSING PROJECTS.

Coun. RUSSO and COFFEY offered the following:

Ordered, That the Boston Housing Authority be directed by his Honor the Mayor to consider the advisability of installing burglar alarm equipment in all housing projects in the City of Boston.

Passed under suspension of the rules.

TAX ABATEMENTS IN 1946.

Coun. CHASE offered the following:

Ordered, That the full Board of Assessors be called before the Executive Session of today's session for the purpose of determining the places and reasons for tax abatements given during 1946.

Coun. CHASE—Mr. President, as I understand it, sir, the Boston Finance Commission recently came out with a report informing the public that during the year 1946 the Boston Board of Assessors granted tax abatements amounting to cash rebates of \$4,874,922. As I understand it, Mr. President, \$32,719,000 was written off the assessed valuations for the year 1946, and \$43,743,000 was written off the books for the year 1945 during the year 1946 by the present Board of Assessors with the full sanction of his Honor the Mayor. The Boston Finance Commission in part said, in writing up their report, "Those who had influence enough to obtain tax abatements for clients reaped in 1946 their greatest harvest in this field." Mr. President, I have always maintained that one of the most lucrative fields for graft is right down in the Board of Assessors. Millions of dollars, Mr. President, can be unjustifiably handed back to the taxpayers by the Board of Assessors. Whether or not, sir, these abatements were granted justifiably or unjustifiably, we don't know, but it seems to me, sir, that circumstances surrounding the granting of these abatements are mighty peculiar. You and I know, Mr. President, that certain men in this administration who are able to walk into the Mayor's office and recommend million dollar abatements with the hope of getting a \$40,000 fee are not beyond the possibility of doing things which are unethical, and I say to you, sir, that in my opinion many millions of these dollars are nothing but outright graft. Yet, Mr. President, what will be done about it? The Boston Finance Commission has submitted a report to us criticizing the granting of these many millions of dollars of

abatements but what other authority can delve into this matter to find out whether or not they are justified in granting these abatements? I don't know of any authority other than the Mayor's office, but we have an authority, sir, right now before us, the authority of passing on a municipal budget, and we have the authority, sir, in passing on the Assessing Department budget and calling up before us the full Board of Assessors and asking them to explain to us the full expenditures of their particular department and how they spent their money and what they spent it for, and what abatements were granted. We have that implied authority, sir, and we can use it for the purpose of determining whether or not these abatements are justified. I venture to say, sir, that many councilors around this semicircle believe because I am a Republican I am criticizing the Board of Assessors and the Curley administration, but I make this charge, sir, that there will be many Republicans who have benefited under the Curley administration; there will be many Republicans, wealthy men, who have been cooperating with the gentleman downstairs. And I say to you, especially the Democratic members of this Council, that I am not hitting at the Mayor because he is a Democrat or because he is Curley, I am making this an issue because I believe, sir, of all the forms of graft and corruption, your Board of Assessors are able to produce the greatest amount. Graft and corruption existing in contracts are chicken feed compared to what takes place here, and what can take place, sir, through the Board of Assessors. Do you realize what has happened during the year 1946? Over \$4,000,000 in cash, directly or indirectly, has been taken from the city treasury and paid back to land owners who had their property assessed, and then within a few months, sir, had it cut down by the very same authority that assessed it at a high figure. The Finance Commission said in substance that some one with influence got these large abatements. Mr. President, your City Council has on two different occasions officially requested through the medium of orders of the Boston City Council that tax abatements granted for the year 1946 be given to us, the names and addresses and the amounts of all abatements over \$20,000, and your Council in its wisdom went one step further and unanimously adopted an order requesting the tax abatements for the year 1945. Yet, sir, we have not received one item of information from the Board of Assessors and we, the elected members of your city government, charged with the duty annually of passing on this municipal budget which includes the Board of Assessors, apparently are being ignored by a department over which we have authority. Now, sir, in view of this Finance Commission report, I say to you, since we are in no little way charged with the making up of the annual tax rate, that we should have something to say as to abatements, and I believe this is the time to do it, especially in view of the recent report which discloses fabulous sums handed over by the Board of Assessors of the taxpayers' money. I think, sir, we can get this information, and I don't think under the circumstances the Board of Assessors would dare thwart us at this time while we have the budget before us. I hope, sir, this order passes.

Coun. COOK—Mr. President, this order has been brought up on two previous occasions at least, in substance, by the same councilor. One of the reasons the Board of Assessors has seen fit not to answer is that the Supreme Court in a few cases decided we have not the power to get the information we desire, and I would like to say that I do wish the City Council had that power. I would have liked to have seen the councilor at meetings in the Legislature when changes in the charter were being discussed insist that if they change the charter we be given that power. I so expressed myself, and I am amazed that the councilor has not seen fit to attend any of these meetings and talk in the same vein. It is my opinion, backed up by a few cases decided by the Supreme Court, that we have not the power to get this information. We vote for these orders, and what the Board of Assessors does not wish to answer, they don't have to. The Finance Commission sees fit to give something to newspapers before they give it to anybody else. The gentleman cries graft, and he has been crying graft for over a year. The Finance Commission is a little bit timorous about crying graft, but they insinuate, and it seems to me, under the charter, they have the power, if they think there is graft, to go to the proper authorities, to the District Attorney's office or the Attorney General's

office, and I say the Finance Commission, even though they give it to the papers, should print the whole side of the picture and also delve into it with the powers that they have. Now, the Corporation Counsel appeared before the Appropriations Committee, and he said that when he came in, there were 12,000 cases before the Tax Appellate Board, and over 6,000 of them have been cleaned up by way of settlement or trial. He also stated, and I think he is telling the truth, that in many cases heard before the Appellate Tax Board, the appellant usually gets most of what he wants, and that the city—not only the City of Boston but other appellees—are beaten in a tax case. I would like to bring to the attention of the councilor who just spoke and to the Finance Commission that most of these returned moneys, at least in my opinion, involve not only the year 1946 abatements, but many years before. I have not seen anything yet, although it may be up in the Legislature now, about a bill to reduce the amount of interest paid to appellants. Somebody is appealing now from the tax assessment in 1944, say, or 1940. No matter what amount he gets by way of abatement, 4 per cent interest is paid for every year from that year on, and that is unjustifiable. There are many real estate owners that would just as soon pay their tax bills knowing that they can get an abatement and can count on 4 per cent interest which they never could get from a bank. The Finance Commission could, if they so desired to, give a truthful and complete picture, take a list of all the cases that have been brought before the Tax Board, not only for the City of Boston but for all others for the past five years, and find out how much the cities assessed them at and find out how much the appellants said it should have been assessed at, and find out what the percentage of abatements was; whether they were in favor of the appellant or in favor of the city, and whether it pays to compromise and settle the case. As I said before, the Board of Assessors under the ruling of the Supreme Court does not have to give us the information, and I should think by this time the councilor would have been convinced that they don't have to give it and that they are not going to give it, and if we want to use our power in cutting the budget, it will not affect the giving of abatements. As a matter of fact, it may tend to allowing their giving larger abatements to make up for the cut in the budget. I think we are talking too much here and not enough in the Legislature, that the remedy for having a good city government with checks and double checks is a strong Council with power to do that which is right for the whole city, and not change the method of voting and not to make any other changes that are contrary to American principles of government that have gone through our establishments. I don't think that the Council can do anything but pass the order, but I don't think we ought to expect anything from it.

Coun. COFFEY—Mr. President, I heartily agree with what Councilor Cook has said. There have been any number of councilors up here who have introduced similar orders to the order introduced today by Councilor Chase. When he first introduced it, I had the thought in mind that I would like to amend the order to read also the years 1945 and 1944. I know that the councilor from Ward 10 (Councilor Carey), for a number of years, along with other councilors here, has asked the Board of Assessors to come over here and show us their books. Just as the councilor from Ward 4 has well said, there has been many a Republican who has benefited this year probably. I don't know, I think I know they have benefited in 1945 and 1944 and the past dozen years. We have had orders in here asking the Finance Commission to come before the Executive Committee, and we have yet to get the Finance Commission to come up here. The only time anybody ever came here was the secretary of the Board, who gets \$5,000 a year. He was asked one question, and he got up in a huff and left the Executive Chamber and went out and has not been back to the Council Chamber since. I think the Finance Commission is bluffing myself. If they are not, let them put the cards on the table and show what is taking place in the Board of Assessors. They have the power and the means and the investigators, and under the City Charter they are the only authority who can go in and investigate any city department. I would like to amend the order to read that not only the Board of Assessors be invited to come over before the Executive Meeting of the City Council but also

that the members of the Finnee Commission come up here and attend some of the meetings and tell us what they have, if they have anything at all.

President KELLY—Councilor Coffey moves that the order be amended.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella, talking on the amendment.

Coun. KINSELLA—Mr. President, I was looking through some of the records here, and I find that in 1943 under date of September 20, Councilor Hanley, the then councilor from Ward 11, offered such an order as I read now: "Ordered, That his Honor the Mayor request the assessors of the City of Boston to prepare and compile a complete list of all names, properties and amounts of abatements granted by them from January 1, 1938, to January 1, 1943, inclusive; and be it further Ordered, That his Honor the Mayor request the Appellate Tax Board to prepare and compile a complete list of all names, properties and amounts of all abatements granted by them to Boston property owners from January 1, 1938, to January 1, 1943, inclusive," and so forth. Subsequently—I can't find in the record any answer either from the Board of Assessors or the Law Department of whom he sought certain pertinent information until in June, 1944, about one year later. I am not prepared to say that Councilor Cook gave us the correct answer when he said we have not any right. I don't mean to say I propose to contend with his point of view, it is only that I don't know whether we have the right, but apparently from the record we don't have the right. I remember the Mayor of 1941, and I was not then in this Body, but I remember that the present Mayor, Mr. Curley, on the radio stated that for the four years prior there were \$104,000,000 of abatements given of which \$64,000,000 was handled by only four law firms in the city. That would be an average of \$16,000,000 a year for just four law firms, meaning that the other \$40,000,000 was handled by any number of firms or people. Yet, apparently, that information which Mr. Curley might have had and could have substantiated had he been called upon to do so, apparently was never challenged. Understand, I am offering no defense of Mr. Curley any more than Councilor Chase is guilty of any attack upon him. I think his order today is in good taste in so far as he himself thinks. I can't support him because the record here does not show me that in 1943, four years ago, or in 1944, three years ago, Mr. Chase said anything about the abatements of the administration then in. I would like to have it written in the record, too, that I am not finding fault with past administrations because the principal figure of that administration is out of elective office, not in the least. I am trying to arrive at a ground on which I can support Mr. Chase's claim and I don't see any record here that Mr. Chase supported Councilor Hanley's claim and at another time Coffey's claim, and Carey's claim, that we ought to be allowed to see certain records. Since there is nothing here, it is rather difficult in 1947 because of the Finance Commission's report to lend aid and comfort to Mr. Chase's efforts.

Coun. CHASE—Mr. President, will the gentleman yield?

President KELLY—For what purpose does the gentleman rise?

Coun. CHASE—For a question, Mr. President.

President KELLY—Will you yield for a question from Councilor Chase?

Coun. KINSELLA—Yes.

President KELLY—Councilor Chase.

Coun. CHASE—With reference to Councilor Hanley's order, was it adopted by the Council?

Coun. KINSELLA—It was adopted by the Council under suspension of the rules.

Coun. CHASE—Was Councilor Chase opposed to the order?

Coun. KINSELLA—No.

Coun. CHASE—It was a unanimous adoption.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Councilor Chase knew the facts at that time, as he pretends to know them now, but he did not get up and say anything about the assessors then. There is nothing in the record that he offered anything other than what the rest offered, a perfunctory nod of the head when the question was put of "All those in favor, say aye," and no answer. It is not even lip service. I am not finding fault with the order, but I don't find anything in two records, one four years old and

one three years old, that there was any crying need at that time, and if there was, the cry was uttered by one man, Councilor Hanley. I don't know what the \$4,000,000 means, whether that is the total valuation of the property on which the taxes were abated or whether that was the money, \$4,000,000, which of itself was the tax amount on valuations. While I still contend perhaps he has a valid claim to the information, I would like to ask him a question which I really don't ask for the purpose of seeking an answer, but I will ask more or less academically, does he expect to get better treatment today than other councilors in past years have gotten, even though he may feel entitled to the information? By what means is he going to force it when they could not? Hasn't the thing been publicized enough on the front pages of the papers? Everyone in the City of Boston was conscious of the opinion of the Finance Commission. I don't think it should be used as a publicity means.

Coun. RUSSO—Mr. President.

President KELLY—The question is on the amendment. Councilor Russo.

Coun. RUSSO—Mr. President, I would like to ask you through the City Clerk whether or not the Council has the right to demand from the assessors the information just now being sought?

President KELLY—We have not any right to demand it, but we can request the information.

Coun. RUSSO—I realize that, Mr. President, but if my memory serves me right, I believe in the past we have introduced orders asking the Corporation Counsel for an opinion, and again if my memory serves me right, I believe the answer was we had no right to demand the information that the councilor seeks. However, realizing also we have a right to ask his Honor the Mayor to give us some information if he so desires through the medium of his department heads, we are no further ahead or closer than we have been for years. As Councilor Cook stated, it is up to the Legislature to empower the Council with some authority. Then you will have councilors with responsibility upon their shoulders, each and every one of us. In the eyes of the public we are looked upon as having superior authority, more superior authority than we really have, only that the newspapers at times—although this item has been publicized—do not print and state to the public that the councilors have no power to demand information that they seek. That would eliminate any responsibility upon our shoulders. I heartily agree with Councilor Chase that we ought to have the information. However, if we have not the power to demand the information what else can we do? We are in the same position we have been since the revised charter was given to the City of Boston. The twenty-two-man Council had some opposition, and they are trying to bring opposition to the twenty-two-man Body. When we present an order, we are merely requesting, and that is as far as we can go, to request the information. If the information is not forthcoming, we have no other course we can take in demanding the information the councilor seeks. Although I am in accord that we should get the information, I am in favor of the order which has been presented at the present time, but I really can't see how far we can get.

President KELLY—The question comes on Councilor Coffey's amendment.

Coun. LINEHAN—Mr. President once again we are getting back to what are the powers of the Council, and some of the councilors have brought up the prior years to now. I think we agree on what happened in 1942, but what we are interested in is what happened during the year 1946. As the councilor from the Back Bay (Councilor Chase) said, he is sure he voted for the order in 1942 or 1943, but I don't know as I agree with the gentleman from Charlestown (Councilor Kinsella) that we should not go along with the gentleman from Ward 4 because Councilor Chase did not make a speech in 1942 or 1943. In 1942 and 1943 the councilor might not have cared to make a speech on it and he was perfectly within his rights. In 1946 he cares to make a speech on it, and I think that is within his rights. If the then Councilor Hanley was present today, probably he would make a speech on the councilor's order, and certainly he would be within his rights. I hate to think I am a member of a Body where we are confined and restricted in such a manner by the City Charter as construed by the Corporation Counsel as of this year, but to all intents and purposes,

about all we can do is pass on the budget and pass on the bond issues. I am one councilor who hopes that is not all we do here. Even though we have not specific power to demand that the assessors come before us, although at times we try to get them before us, I should think as department heads they should come before us if for no other reason that the respect due to the Boston City Council. Even though the public at large might not think of us, I should think the department heads once in a while would pay us a little respect inasmuch as they come before us for the money to run the departments. I think Councilor Chase realizes after the budget is passed, he can kiss whatever chance he has of getting the assessors before us, but while the budget is pending, he has a better chance of getting somebody from the department to come up here with facts and figures. If the members of the Assessing Department care to, they can present facts and figures relative to the order, and let us assume they don't have to, there is nothing to say that they cannot. It seems to me that they can if they so desire. As a matter of fact, the City Charter says the Mayor at any time may attend and address the City Council in person or through the head of a department or member of a board upon such subjects as he may desire. So if the Mayor does care to present some facts and figures to us on matters which do not come within our jurisdiction, the Mayor still has the authority under the City Charter to furnish us information as set forth on page 19 in the Municipal Register. Even though the councilor from the Back Bay might not have any specific power, he certainly has the right to request it, and it is my sincere hope that the Assessing Department does something about the order in order to clear up the atmosphere. I mean, if there is a little smoke around here relative to the granting of abatements, it would seem to me it should be cleared up. If there isn't anything smoky in the atmosphere relative to abatements, they can come before the members of the Council while it is giving hearings on the budget to give some facts and figures relative to what the councilor from Ward 4 desires. Understand, they don't have to do it and neither does the City Council have to pass the budget in toto of the Assessing Department. Probably the gentleman from Ward 4 might interest the members of the Council to eliminate some items from the budget. I guarantee he will probably have a hard job getting enough votes in the City Council to succeed in that particular approach, but you never can tell, something might be eliminated. I, for one as a member of the City Council, would like to have the Assessing Department come before us, and it was my understanding they were coming up but at the last minute we were informed they would not. I suppose that is why we have these dilatory and dilatory tactics, because we have not got the specific power according to the present Corporation Counsel and some other Corporation Counsels to demand it, we have not that right. Personally, I hope to live to see the day that some court of law will construe just what matters come within the jurisdiction of the City Council and until that time comes, there is no question, every Corporation Counsel from now until the day when we have a court case will answer on almost every occasion that it is not within the jurisdiction of the City Council; that is, if his Honor the Mayor so desires that answer to be, and I don't doubt the Corporation Counsel will so rule, the matter does not come within the jurisdiction of the City Council. I hope the order is passed, and further hope the assessors do recognize the fact that we are the directors of the City of Boston and that they will come before us and give us facts and figures in order to clear up the atmosphere even though we cannot, according to the Corporation Counsel, specifically demand information from the assessors.

President KELLY—The question first comes on Councilor Coffey's amendment.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase, talking on the amendment.

Coun. CHASE—This much I do know, Mr. President, many, many millions of dollars of abatements were granted during 1946 on the Little Building property, and there was something wrong somewhere because the rents in that property have been jacked up. All the stores on the street floor have been rented, and the total income taken in far exceeds any of prior years. Down on Huntington avenue where there was a \$100,000 abatement

given to a man by the name of Cohen, the gentleman who was going to have his sidewalk bought by the city for \$35,000, who bought that property a few months before the abatement was given. He proceeded immediately to renovate and invest more money in it and gradually, sir, enhanced the valuation of the property, the property actually is worth much more than when he bought it. Another fact, sir, pertaining to that property, is that all these stores are rented and were rented at the time that this abatement was given, whereas in prior years many of these stores were vacant. In my opinion, sir, that building and the Little Building did not warrant the abatements that were given. Having those two specific properties in mind, sir, I have in mind the comment of the Finance Commission in their report about some one having influence to get these abatements. I frankly believe, sir, many, if not most of the many millions of dollars of abatements given last year were unjustified, and I say, sir, if the members of your City Council are unable to get this information, who is empowered to get the information? Is this a closed corporation between the Mayor's office and the Board of Assessors? Those are the only two entitled to better information. There is nothing in the books, Mr. President, to my knowledge which says that the Board of Assessors can legally deny us the information or deny any member of the public that information. In my opinion, sir, it is a matter of public record, and any member of your public has the right to go down and say to the Board of Assessors, "I would like to know how much abatements were given at 96 Water street in the year 1946," and there is nothing in the books to prevent the Board of Assessors from giving that information to my knowledge. We are not mere members of the public, sir, we are the elected representatives of the people, we are members of the city government, we are charged with the duty of passing on this \$60,000,000 budget, a considerable portion of which is spent by your Boston Board of Assessors. Surely, we have the right now that the budget is before us and in determining whether the Board of Assessors' budget is being properly spent, to interrogate the Board of Assessors on, for example, their silence. What do they do to earn their silence? They inform us of their duties, some of which are granting abatements, and we can delve into those abatements. If they have the audacity to refuse us, sir, we have this one almighty power, and that is to deny the Board of Assessors their annual allotment until they give us the information, and we can do the very same to the Mayor's office, deny passage of the budget until they comply with our reasonable orders, and this order of mine is a reasonable one; it is seeking information which we as members of the City Council are entitled to, information which any member of the public is entitled to. It is vital information. The granting of abatements, Mr. President, in no small way affects your municipal tax rate, and I say, sir, what affects your municipal tax rate we as members of the City Council are entitled to look into through the indirect authority of the passage of the municipal budget. I hope, sir, the Council will go along with the order.

President KELLY—The question comes on Councilor Coffey's amendment to Councilor Chase's order, and the passage of the order.

The order as amended was passed under suspension of the rules.

FIVE-DAY WEEK.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to direct all department heads to put into operation, commencing Saturday, March 15, a five-day week by closing down the departments wherever possible and by maintaining a skeleton force in those departments which public convenience demands be kept open.

Coun. HANNON—There is pending before the Legislature at the present time a bill which, if adopted, would permit the various cities and towns of the Commonwealth to establish a five-day week. We here in Boston are going to be faced with the fact beginning this Saturday with the banks in Boston closing on Saturday. We likewise have knowledge of the fact that many of the department stores have adopted a five-day week, and I think it is about time for the city itself to fall in line. At the present time, the status of the bill in the Legislature is still in committee, it has not yet been reported, but undoubtedly

it will be reported favorably, and at that time I feel certain this Body can adopt, pending the final passage of the bill through the Legislature, this order starting a week from Saturday which is the 15th of March, the Saturday after the banks go on the five-day week; that the city itself put into effect a five-day week as far as possible. The 15th is the Saturday before the 17th of March. I think it is a good time to begin, and I hope the order is adopted.

The order was passed under suspension of the rules.

SOUTH END AND SOUTH BOSTON HOUSING PROJECTS.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to inquire from the Boston Housing Authority what progress has been made toward the erection of the South End and South Boston Housing projects.

Coun. HANNON—Mr. President, for quite a while now the citizens of Boston have been faced with the fact that over in South Boston and the South End we have two big holes that were caused by the removal of existing buildings and we were told some time ago that upon those sites were to be erected houses for the underprivileged of the city. We have been told many times in the past that these houses are going to be constructed, but if we do not get on the job and construct them, I think the houses will be out-moded and people probably will have their own homes built before the Housing Authority constructs these projects. I know they tell us they are waiting for Congress, but I wonder what they are doing to try to wake up Congress. Yet, you go throughout the country and recently I saw two or three housing projects under construction by other cities. If other cities can go ahead with them, why not the City of Boston? At least, I say why don't they keep us conversant with the facts that are holding back the continued construction and the removal of these blighted areas?

Coun. MADDEN—Mr. President, I would like to amend that order also to ask the Mayor to ascertain the present status of the \$10,000,000 loan passed by this Council last year.

President KELLY—Councillor Linehan has already introduced that order.

Coun. MADDEN—I would like at this time to speak on it. Mr. President, recently going down and coming up from the South, I was astonished at the number of houses being built all the way from Baltimore to Key West. I guess we are about where the South is getting back at the North, and the shoe is on the other foot. After the Civil War the South yelled for a great many years about the earpetbaggers in the North. Now it begins to appear the Southern Senators are sand-bagging the North, and for some reason or another, we cannot seem to get building supplies up here, yet when you travel through the South you see mountains of lumber in every single city; not only mountains of lumber but you see new housing going up every place. I made it my business to inquire at no less than eight different cities and I was told, "No trouble at all." I went into different real estate offices and suggested I would like to rent a house down there. They say there are all kinds of houses. It seems to me if the South can do it, we must be able to do it. It seems tragic that this great nation can win a global war, that this great nation finds it necessary to take the cream of our youth, to pull them out of school and classroom, out of their families and break up their whole lives and send them all around the world, and when they come back, bureaucratic Washington says, "We are awfully sorry, we haven't any way we can get any housing for you." Gentlemen, I know of nothing that is more acute today than the housing situation, and if it is necessary to use the veterans as the object or cause of the housing boom, that is O. K., the veterans don't mind. Certainly, if you keep your housing for veterans, the places that they vacate will help non-veterans. I have knowledge of no law today that is any finer than the law passed last year by the Legislature permitting the passage of the \$10,000,000 loan. Something must be done, something must be done. I have kept track of the people last year who came to me, at my home or my office, and asked me to intercede in the local district court to see if they could not get an extension of the order to vacate. It was astonishing

to know over 70 different people applied to me for help, and as the various attorneys in the Council will attest, as well as all the other members, I think we are positively powerless, there is nothing we can do, and it is an unfortunate situation. So I say, God knows that the housing situation could be improved in the South End and in South Boston, but I think just as urgent, something should be done about the \$10,000,000 order we passed last year. There are today veterans and other people who could not be veterans,—and certainly that is no stigma against the man with a family who could not be in the service,—clamoring for houses. Something must be done about the housing situation, certainly. I sincerely hope this order passes, referring to Councillor Linehan's order. The order was passed under suspension of the rules.

INCREASED PENSIONS TO RETIRED CITY EMPLOYEES.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to direct the trustees of the Retirement Fund to increase the pension now paid to all city employees retired because of age in an amount not exceeding four hundred dollars to combat the increased cost of living.

Coun. HANNON—Mr. President, in many fields of endeavor nowadays a temporary or emergency raise has been granted to the employees in order to offset the high cost of living. However, nothing has been done for the poor pensioned city employees. I filed an order about six months ago asking that all those receiving under \$1,000 a year in pension from the City of Boston be granted an increase of up to \$1,000. This was granted up to \$720, but nothing has been done for the old timer who has given the best years of his life to the City of Boston, men who have worked thirty-five or forty years giving their all in any job assigned to them. Now they are out-side, having been given a paltry \$700 or \$800 pension, just enough to keep them out of the bread line and just enough to keep them from old age assistance. I think it is about time we took the strings off the pocketbook up there on the Retirement Fund and give these old people something. I don't care what they are getting, if they were pensioned from the city because of their age, you can bet your life they are not getting enough to live on. I was taught up in the Legislature never to introduce an order to amend the City of Boston's retirement system, that we have the best retirement system in the country. What a lot of baloney that is. You can see men who have high positions in the city, lieutenants and captains on the police and fire department forces, getting a measly \$1,000 pension or something of that nature. They cannot get by on that, yet we here who claim we can't live on 50 bucks a week or this or that, have not done a thing to help out the poor worker sixty-five or seventy years of age who has toiled hard for the City of Boston. We ask them to live on that pension. We ought to hide our heads in shame. I think it is about time we demand something worthy be given to each and every former employer who was pensioned because of old age, and the reason I say that is if they were not pensioned because of old age but because of disability, the disability pensioner is getting a better break than the poor soul who got kicked out because they said he was too old to work. We put out the pensioner but he who goes out for disability goes out of his own volition, he makes a choice, but when we say to a man sixty-five in the Police Department or Fire Department or to a man of seventy in the Public Works Department or Park Department, "You can't work for us any longer, we are going to take care of you," let us do it, let us take care of him.

The order was passed under suspension of the rules.

ORDINANCE RE FORECLOSURE SALES BY CITY.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to direct the Corporation Counsel to prepare an ordinance which will prohibit anybody who has an interest in land, or buildings, which is fore-

closed by the city, from bidding for the purchase of said property at foreclosure sale.

Coun. HANNON—Mr. President, during the past week or so I have been beset with the idea that this foreclosed real estate, so called, of the City of Boston might become a racket. I had a couple of kids in my district, GI's, interested in purchasing a vacant lot of land that had been vacant for years and that apparently nobody wanted. The boys made known their desire to purchase it, and I got in touch with the Real Estate Department, and the Real Estate Department directed me to the Law Department, and through the Law Department I found out that for some reason or another the foreclosure proceedings on it had never been prosecuted to completion. Because I am a councilor, I was advised that the matter would be hastened. I communicated with his Honor the Mayor and I told the Mayor of the desire of these two ex-GI's to buy this piece of land and to establish some business there, a business which would be an improvement to the property and to the district, and which would be an asset to the boys themselves. Then they were confronted with calls from an attorney who told them that of course he had a mortgage on this piece of property and he would be glad to sell it to them. When the boys told me that, I said, "I will get hold of him, and I will call him up and find out where we stand between him and the city." He never saw fit to get in touch with me despite the fact that I called him two or three times, and then to confirm it and show I was not kidding, I wrote a letter to him and had the boys mail it, but I never got an answer from the letter, either. Anyway, the matter went along, and these boys could have bought the interest in that property for \$1,000 but they would not proceed with the sale until they could determine what they were buying and how much the back taxes amounted to. The Mayor told me the property would be up for sale in November, and I think it was last October I contacted him. Well, I got a lot of baloney from another department here and, of course, it took us long after I pulled it out of the Real Estate Department and the Law Department; it took us so long in the Real Estate Division that finally last week this property was put up for sale along with other pieces of property at one sale in the Williams Municipal Building on Shawmut avenue. I told these boys to go down and bid for it. This land had been idle for years, and apparently nobody wanted it, but lo and behold, when they got down there, here is the same little attorney hiding in a corner waiting for them to come in and wanting to know if he could not make a deal with them, he would give them a few hundred or so and they would not bid on it, or they could give him a few hundred and he would refrain from bidding on it. Well, the kids, ordinary kids, not sharpshooters any longer—they gave up the uniform and all the sharpshooting when they got out of the army—met this sharpshooter waiting for them up in the municipal building on Shawmut avenue. This land was supposed to be purchasable for \$1,000 and the kids went down there with their \$500 down payment to make on the land, but this Mr. Attorney who wanted to sell his interest in the land for \$1,000 previously kept bidding and bidding until finally that piece of land was knocked down not to the GI's, but to this eminent attorney-at-law for \$2,700 or \$2,800. The two GI's quit bidding when it got to \$2,700 because they didn't want to go to jail, never mind going into bankruptcy. My point is this: if that man had an interest in that property before the city foreclosed on it, what right has he got to go up there now and buy it in from the city? He would not be buying it unless he is benefiting by the transaction. He knows what those taxes amount to, and he has had every opportunity to protect his rights in that property, and he has had every opportunity to redeem the property from the city by the payment of due taxes. But, no. The thought that permeates my mind, probably he and many others are saying to the city, "You can go to the devil about your taxes, let them run up, and in a few years from now we will go in and buy the property back." That should not be. The city demand on the property is for taxes, and when the city forecloses for nonpayment of taxes, then I believe the city should rule or some precedent should be established so that every former owner of the property has alienated any right to redemption. I have not any faith in these wise guys who are trying to hoodwink kids out of the service.

I have no faith in the trimmers who are smart enough to let the taxes run up to such an amount that they don't care to redeem them, and then present themselves at an auction sale of the City of Boston and buy the property back for far less money than it would cost if they had been honorable enough to pay their taxes. That is not why we foreclose real estate. We foreclose primarily to get some of the taxes back, and I don't think we should countenance any action by this man or any other shyster lawyer who is trying to bid kids into paying possibly \$2,700 or \$2,800 for a piece of land he knows in his heart is not worth more than \$1,000.

Coun. BAYLEY—Mr. President, I move the petition of the Boston Waterways be taken up.

President KELLY—We are discussing Councilor Hannon's order at this time.

The order was passed under suspension of the rules.

PETITION OF BOSTON WATERWAYS, INC.

President KELLY—Councilor Bayley.

Coun. BAYLEY—Mr. President, I move the petition of the Boston Waterways be taken from the Committee on Licenses.

Coun. COFFEY—Mr. President.

President KELLY—Councilor Coffey, talking on the motion.

Coun. COFFEY—Mr. President, talking on the motion. I saw all the lawyers up in a huddle and I was wondering which one was going to get up and offer this motion. I noticed the councilor from Ward 14 (Councilor Muchnick) and one of the other councilor lawyers, Councilor Bayley, were talking to Mr. Fairbank outside for a little while, and I was wondering if the lawyers were in on this and all the rest of us out. I met Fairbank once, and I saw him in the corridor now getting through talking to one councilor, and no sooner than he gets through talking to one councilor, another councilor comes rushing in with a brief case, and he no sooner took his seat than another one was going to introduce the motion, but by that time he found Councilor Hannon had a motion or an order about to be read off. It seems kind of funny to me, the lawyers are so interested in this Waterways; funny how they met Fairbank. I was on the Committee on Licenses last year, and I never had the pleasure of meeting Mr. Fairbank, never spoke to him, never knew who he was until I held a meeting here about five weeks ago over there in the Executive Chamber where we gave Mr. Fairbank a hearing, and to our amazement we discovered that Mr. Fairbank, not trusting us and having plenty of influence somewhere, went to the Legislature and introduced a bill there through little Freddie Willis of Saugus and Jordan of Revere, nonresidents of Boston, the same as Mr. Fairbank is a nonresident of Boston, wanting to take the right away —

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. MUCHNICK—Will the gentleman yield?

Coun. COFFEY—No, of course not.

President KELLY—I am sorry, councilor. Councilor Coffey.

Coun. COFFEY—Mr. Fairbank saw fit to go before the Legislature, as I say, with advice from little Freddie from Saugus and Jordan from Revere, two nonresidents, and I repeat, the same as Mr. Fairbank is a nonresident of Boston, and he had the gall to introduce a bill there asking the Legislature to take away all the power from the City of Boston, to turn over all those powers to the State Department of Public Utilities by an act of legislation, mind you; that the airport and all water facilities leading to the airport be turned over to the State Department of Public Utilities, and that power be taken away from the Boston City Council on the passage of any legislation pertaining to any piece of water running from the airport to any other part of the entire state. The gentleman, as I said, must have had a lot of influence with the Legislature. Evidently he has a lot of influence with certain members of the Council who are attorneys and they are the ones who seem to be in the foreground and want this piece of legislation put through. The majority of the Committee on Licenses voted to keep this on the table. I was one of the members who voted to keep it on the table for several reasons: one reason is that some moneys are going to be lost in revenue to the

Summer Tunnel; another one is some cab drivers and a lot of G.I.'s are going to lose money in the taxi business, and the taxi business is not at its best right now. That is why I get a kick from the councilor from Ward 14 (Councilor Muchnick) whom I think is attorney for Waterways, Inc. If he is the attorney, I think he ought to be man enough to get up here on the floor today and admit he is the attorney and disqualify himself from voting. He did it once before on another matter before this Body, and I think he should do it today if he is the attorney, and I personally think he is because he is taking such an active interest in Mr. Fairbank and Waterways, Inc., and I think the gentleman ought to get up and admit he is the attorney and disqualify himself and not vote. Who is this Mr. Fairbank? The gentleman comes from the South Shore or the North Shore somewhere. He is a nonresident of Boston. He came into Boston and wants to run a few boats from the South Station to the airport. He wants to take passengers over there at a certain price. All right, that may be true enough, that he wants to go in business in Boston, but I have had two young fellows come to me who want to go into the same business and personally I would rather see the two G.I.'s, residents of Boston, get the permit than an outsider. Then on top of that Mr. Fairbank goes one step further. Before we even act on this matter, he goes over to the airport and hires some property over there to be used for a wharf, so he says. I don't know of any wharf over there, and I am at the airport at least once a day every day in the week. He claims he has hired this piece of property over there from one who owns one of the terminal buildings, and he intends to build a wharf. Mind you, that is long before we act on this matter. On top of that, not trusting what is going to happen here, he goes up to the Legislature and has a bill introduced there by nonresidents of Boston asking that powers be taken from the Boston City Council and be given to the Department of Public Utilities. My argument is a good argument, I think. There are something like 150 cabs that cruise the airport all day. They get a living from that, and quite a few of those boys live in my town. Quite a few could not get a medallion in Boston because it was a racket, and others who had influence got medallions, but the young G.I. who did not get the medallion was forced to go to some other town, take somebody in as a partner, get a medallion from that city or town, and cruise in and out of the airport all day. These fellows are Boston residents, and about 60 per cent of them live in my ward. They had a meeting on this, and every one of them is opposed to this 100 per cent. Every cab organization throughout the entire city is opposed to this because it is going to hurt their business some, and in the future, if it grows into a growing business, it is going to hurt their business more, and we know the cab business today is not what it was a year ago, and we are really taking bread out of the mouths of these young fellows and their families, fellows who are trying to make a living. I hope this order is not taken from the committee and I hope they have not enough votes to take it from the committee. If they have, good luck to them. I think my argument has been a reasonable one: to begin with, the man is an outsider, the cab business is going to be hurt, the drivers are going to be hurt, and so are their families; the Summer Tunnel is going to lose tolls, and this we know for a certainty. Another argument is that the Northern Avenue Drawbridge will have to be opened because under Federal law if any boat blows its whistle that drawbridge has to be opened, and the only solution we have, we can put in a clause, in the event the bridge is opened, we can ask that the permit be revoked, but we have no assurances we can revoke it once it is issued.

Coun. MUCHNICK—Mr. President.

Coun. MADDEN—Mr. President.

President KELLY—Councilor Madden, talking on the motion.

Coun. MADDEN—Mr. President, I hope this order passes. This is a typical example of Council dilatory tactics; no wonder the press attacks us and people say we are punching below the belt. Here is a young man out of the service who comes into Boston and wants to establish a genuine, legitimate business and this august Body, or a certain element in it, pushes him around. Gentlemen, I am not the counsel for this young man, I don't even know the man other than by sight, but I think it is a black mark on the Boston City Council, the way they have been pushing the kid around. What the

hell difference does it make where he comes from? Boston has been built with the finances of people who live throughout the Commonwealth. Why should a man have to live in Boston to spend his money here? That is preposterous. I made it my business since the man came in here to inquire among the taxicab drivers if they had any opposition to this. There seems to be 200 or 300 taxi drivers in Brighton and not one single taxi driver has come to me and said, "I don't think you should vote for it, because it is going to hurt me." On the contrary, gentlemen, each and every man I have talked with has said to me, "Councilor, that tunnel airport taxi trip is a pain in the what-you-may-call-it; when we go through the tunnel we have to pay, and when we come back we have to pay again, and you have to wait in line." You ask the average taxi driver in the city and he will tell you, "I hate that trip, and if I can duck it I do duck it." No, gentlemen, that is not the real issue. The real issue is this: you have a young man who comes to you on a perfectly legitimate business proposition who says, "Gentlemen, you are the Boston City Fathers, I would like to establish a legitimate business, a business that would be of assistance to the people of Boston and your guests, a business that would reflect credit on the City of Boston, a business that is a step in the right direction." Now, we find month after month this young veteran getting kicked around. That is nothing new, veterans have got kicked around from time immemorial. After the last war we got kicked around and pushed around, and they are getting pushed around today. Many elected to office have given the veteran lip service, "Oh, I would do anything for the veteran; nothing is too good for the veteran," and that is all they have been getting, nothing, nothing. If there is a spark of decency and fair play and honesty among the gentlemen of this Council, I say you owe it to yourselves, you owe it to your constituents, and you owe it to the young fellows who have the guts to have gone over there and fought for your hides. How much longer is this Body going to be the laughing stock of the City of Boston? No wonder Judge Adlow and others say we have too many councilors, they fight this and they fight that. Gentlemen, where there is a lot of smoke, there is some fire. This is a perfectly legitimate request, something we as city fathers owe the people of Boston, it is something that we as city fathers owe those hoys who have given so much for this country. Where the hell would any of us be today if it were not for the courage and the guts of these kids? A lot of us were very, very fortunate that we could stay home and avoid this terrible war. These kids were pulled out of their families and sent over there with nice things said to them, a pat on the back and all kinds of nice things said, a parade and a bunch of hoys down at the platform. On the day of Curley's inauguration, as I said only a month or so ago, I can remember that very night when I was going back to Lovell General Hospital, one of those kids and myself sat on the same bench on the train going back to Ayer; I can remember that hoy with his crutches sitting near the window, and I saw him looking out at the stars and the moon, and I can hear him say, "Gee, what a swell guy Jim Curley is." The day I left the hospital I called on this hoy, and he was buoyed up with the hope and with the thought that the Mayor of the city was going to do something for the veterans. I can remember that kid getting off the hed and leaving his crutches there and calling his buddies around, and he turned to me and he said, "Colonel, don't the Mayor and me stand just like that?" and I said, "I think that's right, Jim." And he went on, "See that, fellows, when I come out of the hospital my brother and I are going to buy a truck and the Mayor is going to get work for us." How in the name of God can any man, the Mayor of Boston or any one play hall with those disabled veterans? Shame on you, Mr. Mayor. I don't see how you can let these hoys go without helping them, without jobs, giving contracts without bids. That is not on the up-and-up, Mr. Mayor. And I say to you gentlemen, if we as members of this City Council push this young man around, shame on you, gentlemen. Shame on you.

Coun. SULLIVAN—Mr. President.

President KELLY—Councilor Sullivan.

Coun. SULLIVAN—Mr. President, as long as the councilor from Ward 22 (Councilor Madden) is defending a veteran from outside the City of Boston he has paved the way for my argument to be presented before this Body. First is this, if the permit

was granted, it would vitally affect the treasury of the City of Boston, and I believe that is what each and every one of the twenty-two of us are here for, to protect the treasury of the City of Boston. I have veterans, too, Mr. President, veterans in my district, and it was only a year or two ago that the Legislature increased the number of cabs here in the City of Boston, and they had to be Boston residents to get and obtain one of those licenses. There are 100,000 and some odd veterans here in the City of Boston, too. That is the trouble with us, we worry too much about outsiders. Let us take care of the people of Boston. It is all right to get up here and espouse the cause of the veterans. We each and every one of us have veterans in our own district. Let us look into the future for these veteran cab drivers earning their living here in the City of Boston. Let us go back a couple of years when Sutcliffe came in here for a limousine permit to operate between the hotels and the airport. At that time, they only wanted and were only going to operate three limousines. Last year they came back here again seeking further extensions of that permit, and when the question was put to them, how many limousines are you operating now? eleven, Mr. President. Eleven. They changed their minds and went from 3 to 11, and then they come back looking to put on buses with a blanket permit to operate through all the streets stopping and discharging passengers wherever they saw fit. Let us now go into the Waterways angle. Yes, the veterans right at the present time may feel as though this thing is not going to hurt them because they can get a fare in town to the South Station hut, gentlemen, don't forget the same way the Sutcliffe thing extended, so will this extend, putting in a berth at the North Station and Hotel Manger, and the veterans who operate cabs won't get fares from the North Station and Hotel Manger or through the Sumner Tunnel. Let us look into the future for the veterans. If we are going to talk for the veteran, let us watch out for them in the future. You know the cab driver has seen his day, his day is gone. They are not getting rich, they are barely getting by. Let us go on now to see what the city is going to lose. On page 96 of the Council Minutes of February 10 it shows the report of the Traffic Commissioner on which I asked that a survey be made of the number of cabs using the Sumner Tunnel. On February 3, from 1 to 6 p. m., and that was on a Monday, a grand total of 556 cabs using that tunnel. There were 342 going to and from the airport, or a total of 556. That was on Monday. On Tuesday, February 4, there was a grand total of 426 going to and from the airport using the Sumner Tunnel. In other words, gentlemen, there was a total on two days in a ten-hour period of 978 cabs using the tunnel. Of those 978 cabs there were 645 of them, better than two thirds of the cabs using the tunnel who were either going to or from the airport. Now, gentlemen, it is for you to decide if this permit is granted, how many cabs will be prevented from using the Sumner Tunnel, and whatever figure you arrive at yourself out of the 645 a day, you can multiply that by 40, 40 cents a day for each cab, and you can multiply that by 300, and it will give you over \$12,000 a year which the city will lose by the granting of this Waterways permit. Under the City Charter, all we can obtain is \$10 for the first boat and \$5 for each succeeding boat after that, and according to the word of the petitioner he will require three boats to start in. Bear in mind that all we can receive from him in one year is \$20 for the granting of this license and a loss of at least \$12,000 or better for each and every year they are in operation. I hope, Mr. President, that this is not taken from the Committee on Licenses.

Coun. MUCHNICK—Mr. President, in the first place, let me state clearly that I agree with the remarks of Councilor Madden, and in the second place, may I state just as clearly that I am not counsel for Boston Waterways, Inc., nor am I counsel for anybody connected with the company, nor have I ever been counsel for that company or anybody connected with that company. Let me state further that it is my belief that the councilor from Ward 1 (Councilor Coffey) knows that, and he knew that when he made the statement which he did make, and I don't believe he made it in good faith, and I had just as soon call him on it here as any place else. I have not taken any special interest in this, any greater interest in it than I have in any other civic matter, but one of the reasons why I am interested in this is one I have not cared to state possibly prior to now, and I had just as soon not state it now unless

the councilor from Ward 1 wants me to. If he does, he can say so. If he does not say so, I will keep it for the present. There is no question in my mind that most of us know what that reason is, why this has been held up in committee for so long. It seems to me the only decent thing the members of this Council can do —

Coun. COFFEY—Mr. President.

President KELLY—Councilor Coffey, for what purpose does the gentleman rise?

Coun. COFFEY—Does the gentleman yield?

Coun. MUCHNICK—No, I don't yield.

Coun. COFFEY—Will he state some reason?

Coun. MUCHNICK—If the gentleman wants me to give the reason, I will be glad to do it.

Coun. COFFEY—Reason for what, Mr. President?

Coun. MUCHNICK—One of my reasons for being so anxious in having this disposed of one way or the other now.

Coun. COFFEY—He can give any reason he wants to. I don't care what the hell he says, I will listen to it.

Coun. MUCHNICK—One of the reasons, Mr. President, why I and some other members of this Council have been so anxious to get this disposed of is that there are rumors floating around Boston that this has been held up pending the payoff.

Coun. COFFEY—Mr. President.

President KELLY—Councilor Coffey.

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. COFFEY—Will the gentleman yield for a question?

Coun. MUCHNICK—I will yield for a question. Coun. COFFEY—Will he say who is handling the pay-off money and if I am in?

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—If it becomes necessary for me to go any further in this, Mr. President, I had just as soon give it to the proper authorities.

Coun. COFFEY—Mr. President, let him give it. If he has guts enough, let him give it here.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick.

Coun. KINSELLA—Mr. President, I want to protest the implication. I want to protest that implication very strongly. I am a member of that committee.

Coun. MUCHNICK—I did not know I had yielded.

President KELLY—For what purpose does the gentleman rise?

Coun. KINSELLA—I was going to ask the gentleman to yield while I record my protest.

President KELLY—Does Councilor Muchnick yield for a question?

Coun. MUCHNICK—No.

Coun. KINSELLA—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. KINSELLA—For the record, I want to defend myself.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—I don't know that the question of what the councilor from East Boston refers to as my guts is in issue here. I don't believe they are. I for one don't believe that they are in issue, that there is any question about it, and if it becomes necessary at the right time and at the right place, I am perfectly willing to do what I consider to be my duty. For the present, we are only concerned with the granting or denial of a license. I don't care whether this license is granted or denied if this Body acts in good conscience and in good faith, but before this Body can act, it is necessary to have that taken from the committee and brought on the floor. That is my only purpose in getting it out from the committee today.

Coun. KINSELLA—Mr. President.

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—If Councilor Linehan wants to speak, I will gladly defer to him in what I have to say.

Coun. LINEHAN—I got up with Councilor Muchnick five minutes ago.

President KELLY—Councilor Kinsella is recognized.

Coun. KINSELLA—Mr. President, some time after the election of John B. Kelly as President for 1947, I was made a member of the Committee on Licenses and my name appears as such on the

record. I don't think the statement hinted at by the councilor from Ward 14 (Councilor Muchnick) ought to be taken as a blanket indictment of anybody, or a specific indictment of any one man. I have as much principle in this matter as Councilor Muchnick has, for it or against it, and it was not my hope or intention to get into this debate today even though there is much to be said on both sides. Much of what Councilor Madden said is precisely correct and to the point, and much of the objection offered by the chairman of the committee, Councilor Coffey, is of the type which should be listened to in all conscience, but the extraneous matter introduced here as a slanderous attack on the motivating thought of the councilors, whether they be designated as a member of the committee or not, is something I won't tolerate. I have as much principle and integrity as any attacker who wants to get on the floor in this Chamber and question my motives for taking a diametrically opposite view to the one he holds himself. Councilor Madden brought up the question of veterans and where they come from, and on the surface, it can appear to be a sufficient reason, standing off and apart by itself, but it is not sufficient reason to dissent. It goes well beyond that; veterans in many of our cities and towns that are not residents can't use certain of their facilities, and no one makes any point about it. We have the Massachusetts Legislature, the parent organization of the cities and towns, the body on which we saddle all the responsibility for the condition of Boston, made from outside of Boston who do not give Boston the better of it when there are two conditions to be picked, one of any two conditions. I don't know that it is wrong to favor a Boston man if a Boston man can supply the necessary equipment and guarantee the service at no more cost, but the mere fact of a man being a resident from outside of the city, as I said a moment ago, is not in and of itself sufficient reason for turning down Mr. Fairbank here, or any other operator by any other name.

Coun. COOK—Mr. President.

President KELLY—For what purpose does the gentleman rise, Councilor Cook?

Coun. COOK—For a question.

Coun. KINSELLA—For a question.

Coun. COOK—Will the gentleman to whom I like to listen sometime during his answer explain why the Committee on Licenses after all this time feels it is necessary to keep it in committee and not bring it before the Council for honest debate?

Coun. KINSELLA—I think I can thank Councilor Cook for asking that question because it gives me an opportunity to say that at no time, at no time while I have been on the Committee on Licenses, 1947, have I attended a hearing, and I understand the chairman has had a couple of them, nor have I discussed it with the chairman. On my oath I will tell you that, I have never discussed this or any other matter in 1947, the year in which I am a member, with Coffey or anyone else, nor have I discussed it with the supporters of Mr. Fairbank. So I am not in a position to answer the question to your utter and complete satisfaction. There has been so much pulling and hauling in this Chamber on that item it would appear that all license matters receive the same treatment by the same group at all times, and we know they do not. I do not deplore the support of a man outside of Boston because it is not a valid enough ground on which to proceed, but if that question is raised along with the question of lost revenue for which there is nothing returned in its place, how can we get up here and question expenditures when we throw away \$10,000 or \$20,000 a year, according to Councilor Sullivan, which in the absence of proof to the contrary I will have to accept as accurate. He did not take the count, the count was taken by members of the Traffic Department, and unless we want to impugn their motives we must say their count was accurate and precise and honest. I think, Mr. President, and I am speaking personally for myself, that Councilor Muchnick, with all of his known decency, gentlemanliness and responsibility, ought to stand up on his feet as readily now as he was to insinuate and indict the entire committee, and apologize.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick, for what purpose does the gentleman rise?

Coun. MUCHNICK—I am perfectly willing to comply.

President KELLY—For what purpose?

Coun. MUCHNICK—Will the gentleman yield so that I can comply with his request?

President KELLY—Will the gentleman yield for that statement?

Coun. KINSELLA—Yes.

President KELLY—Councilor Kinsella yields the floor.

Coun. MUCHNICK—I made no effort to indict the entire committee, nor did I refer, if I remember, specifically to members of the committee. I referred only to some members of the Body, without stating whether they were or were not members of the committee, and, Mr. President, while we are on the subject, my feeling is that this debate is as lengthy as it is because it is known to some members of this Council that I have to catch a five o'clock train, and I won't be here much longer.

Coun. RUSSO—Mr. President.

Coun. KINSELLA—Mr. President.

Coun. COFFEY—You can stay here till five, brother.

President KELLY—Councilor Russo, not having spoken.

Coun. KINSELLA—I had yielded only for this statement.

President KELLY—I asked you, did you yield the floor to Councilor Muchnick?

Coun. KINSELLA—This statement, Mr. President—I gave no indication that I had finished, but I will within a minute.

Coun. RUSSO—Mr. President —

President KELLY—Councilor Kinsella.

Coun. KINSELLA—I would like the councilor to remain for one moment.

Coun. RUSSO—Mr. President.

Coun. KINSELLA—I would like to say, Mr. President, instead of just the members of the committee, he has broadened the scope of his innuendo when he refers to certain members of the Council. It is the committee's responsibility to bring this in or not to bring it in, and it is the chairman's personal responsibility to bring it in or not bring it in after ascertaining the will of the committee. Since almost all the twenty-two members are here, it seems to me there has been a little overly generous conduct exhibited today in bringing almost every member in on the indictment. Whether he referred to the committee or not, I think he ought to withdraw the innuendo and insinuation. He is the one who used the term "payoff." Is there anyone in the Chamber who remembers anyone else using it first in connection with this? Since he was the instigator of the use of that word, he ought to be the first to retract it. I would not ask the gentleman for an apology if I did not think he were a gentleman. I consider the source from which it sprung, knowing every one else shares that knowledge with me, but since they also share the knowledge he is a gentleman and fundamentally a decent person and a lawyer, to boot, I don't know why he won't have the principle and manhood to take to his feet and say that he is sorry that he impugned the motives of fellow members or of a fellow member and clear us of a statement made rashly, intemperately, and immoderately.

Coun. MUCHNICK—Mr. President, will the gentleman yield?

Coun. KINSELLA—I am done.

President KELLY—Councilor Linehan is recognized.

Coun. LINEHAN—Mr. President, before the gentleman from Ward 14 (Councilor Muchnick) leaves, I suppose it is about time some other lawyer got up and spoke beside the gentleman from Ward 14. I remember all the lawyers are indicted by the gentleman from East Boston (Councilor Coffey), and I can simply say this, there are many more in this Council beside the lawyers who want to vote one way or the other on this. Probably all the lawyers will vote for it, but I think there will be at least five others who are not lawyers who will vote for it. So we get up here and bat each others' ears in because some of us take this side and others take that side. We had not been able to get enough votes actually to vote on it till one day we happened to get enough votes, but due to the gentleman from Ward 9 (Councilor Sullivan) moving it go back, we did not have a final vote. It seems to me it is about time we get rid of this matter. We all know what it is all about, and we can vote for it or against it. If you sincerely think the City of Boston is losing money or a lot of money as a result of this, you can vote against it, but I don't think the city is going to lose much money, I believe we will have a better means of transportation from the airport down to near the South Station, and I believe many citizens of Boston are going to use it and want it.

Also, it will take a little traffic off the streets of East Boston. I am not the councilor from East Boston but I still say it will take some traffic off the streets of East Boston. I suppose we do represent the city as a whole so I can quote how it will affect East Boston. Against these advantages there is a loss of a small amount of revenue, you might say, through the traffic tunnel. As far as that is concerned, they tell me they cannot take care of the traffic going through there now and we need another one. In my opinion, it will take some of the tunnel traffic and it will enable people to move along faster. Coming down to it, it is an economical means of transportation and it takes off traffic from the main highways to the waterways. Is that good? I think it is. I am speaking for all the lawyers when I say we should vote for this or against it, whichever way we might vote, on the merits of it if we vote for it. I think I speak for all the attorneys when I say it is terrible to be an attorney in this Body. I have heard myself attacked ever since I have been a member of this Council. It is an awful thing that any member of the Council should attack a group of lawyers who happen to serve in the Boston City Council. Does that mean if we are, don't run for public office? That is the way it looks like in the Boston City Council. I for one am an attorney, and I have never attacked the motives or character or object of any councilor in the City Council ever since I have been a member, and I sincerely hope in the future that no member will say any other member is dishonest or impugn his motives or anything like that, because it is not allowed under the rules. I sincerely hope the President from now on does not allow any member of the Council to get up and attack the motives of another. After all, there are rumors on almost every item that comes before the City Council, and I am sorry to say the gentleman from Ward 14 got up and practically losing his head talked about rumors because, God help us, there are plenty of rumors, but let us not let them disturb us but let us vote as we see fit, one way or the other.

Coun. RUSSO—Mr. President.

President KELLY—Councilor Russo.

Coun. BAYLEY—Mr. President, not having spoken.

President KELLY—Councilor Russo is recognized.

Coun. BAYLEY—I have not spoken, and it was my motion.

President KELLY—Neither has Councilor Russo.

Coun. BAYLEY—Thank you.

Coun. RUSSO—Mr. President.

Coun. BAYLEY—Be fair.

President KELLY—Councilor Bayley, keep order. Councilor Russo is recognized.

Coun. RUSSO—As a member of the City Council—

Coun. MADDEN—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. MADDEN—I rise for the purpose of moving the previous question.

Coun. BAYLEY—I second the motion.

President KELLY—Councilor Russo has the floor. The motion is not in order.

Coun. RUSSO—As a member—

President KELLY—Unless Councilor Russo yields to you.

Coun. MADDEN—Will he yield, Mr. President?

President KELLY—Will Councilor Russo yield to Councilor Madden?

Coun. RUSSO—No, Mr. President.

President KELLY—Councilor Russo.

Coun. RUSSO—As a member of the City Council,—that is the fourth time I am repeating, and I hope some one does not get up and make me repeat it again—I feel it is my duty to ask the councilor from Ward 14 on his particular statement that he made that he must leave the Chamber, I will ask the President to let him wait because we have been patient and waited when he talked. What did he mean when he said he was not referring to any member of the committee but referring to some member of the City Council?

Coun. MUCHNICK—Mr. President.

Coun. RUSSO—He impugns the motives of each and every councilor, and I want an explanation or an apology.

Coun. MUCHNICK—Mr. President, does the gentleman yield before I leave, for an answer?

President KELLY—One minute.

Coun. RUSSO—I will yield.

President KELLY—One minute, councilor. I will explain if Councilor Russo yields for a question, he still holds the floor.

Coun. MUCHNICK—I am not asking him the question.

President KELLY—One minute. If he yields for a statement from Councilor Muchnick, Councilor Russo yields the floor.

Coun. RUSSO—I am yielding for a question from Councilor Muchnick.

Coun. MUCHNICK—I don't want to ask him any question. He wants to ask me a question.

President KELLY—I am explaining Councilor Russo's rights to hold the floor. Councilor Russo, if you yield to Councilor Muchnick for an answer to your question, you are yielding the floor to Councilor Muchnick. Do you yield to Councilor Muchnick? If you yield to Councilor Muchnick to ask you a question, you still maintain the floor.

Coun. RUSSO—Mr. President, I would be glad to yield the floor to give the councilor time to explain if the President will recognize me when he gets through so that I can take the floor.

President KELLY—Will you do that Councilor Muchnick.

Coun. MUCHNICK—Mr. President, let me state clearly if I take the floor for the purpose of answering the question, I will take it for all purposes and will move the previous question. If the councilor wants to act that way, then I will be happy to answer his question.

President KELLY—Does the councilor yield under those circumstances?

Coun. RUSSO—Mr. President, that is another thing, to move the question.

President KELLY—Councilor Russo.

Coun. RUSSO—I believe he is not man enough to stand up here and answer the question.

Coun. BAYLEY—He wants to, he wants you to yield the floor to him.

Coun. RUSSO—To move the previous question. What are we coming to, are we going back to Russia?

Coun. BAYLEY—Mr. President.

Coun. RUSSO—Mr. President.

President KELLY—Councilor Bayley.

Coun. RUSSO—I was speaking.

President KELLY—For what purpose does the gentleman rise?

Coun. BAYLEY—Will he yield to me for a question?

President KELLY—Will Councilor Russo yield for a question?

Coun. RUSSO—Yes.

President KELLY—Councilor Bayley.

Coun. BAYLEY—Do you wish the councilor from Ward 14 to answer the question. He is willing to do so.

Coun. RUSSO—He made the statement.

Coun. BAYLEY—He has five minutes to do it if he is ready to yield.

President KELLY—Councilor Russo.

Coun. RUSSO—Mr. President, I don't take anything he says for somebody else.

President KELLY—Councilor Russo.

Coun. RUSSO—The councilor from Ward 14 demanded from me to yield the floor so that he might be able to move the previous question. That was in order to eliminate debate and take away my right to express myself according to my conscience and the dictates of my mind. Mr. President, I sat here and listened to the pros and cons on this particular argument. It has been brought up by a member of the City Council by innuendo that the Council is just a Body of men who are to receive graft in order to act, and I believe as one member of the Council I will not stand idly by and let that go through without taking the floor and defending myself and other members of the Council. I for one will weigh all the evidence and convincing talk. The question has been brought up that this particular petitioner is a veteran. I have all the respect for a veteran regardless of where he comes from, but as a member of the City Council I have to exercise my conscience and mind for the purpose for which I was sent in here, to safeguard the interests not only of the treasury of the City of Boston but the interests of the veterans of the City of Boston. This is not a question of whether a person is a veteran or a non-veteran. I believe that this is a question of whether or not we will be entering into a contract with this petitioner and allowing the taxicabs of the City of Boston to pay the freight for the loss that they will derive from the Summer Tunnel. It is too bad, Mr. President, that we at

times have to take the floor because of innuendoes and other inferences made by some one else that will lead the public to believe that we are a bunch of grafters. In so far as using the word of attorneys who are members of the City Council, I have said time and time again I don't know whether I should be happy I am not an attorney or should be sorry I am not one. By that I mean, Mr. President, the only reason that I have made those remarks has been because as the previous speaker, the councilor from Ward 7 said, he himself has stated just only recently the same statement. I for one don't impugn the motives of any member of the Council, whether he is an attorney or not. I say that there is considerable talk that should be given either for or against, and that does not mean if you vote for it that you have been paid off, and the ones that vote against it have not. As Councilor Linchan has stated, let us vote according to our conscience, but dare no one get up and impugn the motives of another councilor regardless of whether he is for it or against it. We have our department heads who are the ones we rely upon to give us the information in order to arrive at a conclusion to give our votes. If I remember correctly, the Commissioner of Public Works has sent in a letter to the City Council stating his opposition to this particular license. Councilor Sullivan has received the information in so far as how much money the Summer Tunnel will lose if we grant this license. The chairman of the Committee on Licenses, that is, his committee has seen fit not to bring it out before the Council up to this time. Does it mean because they did not bring it out that they are waiting to get word for a payoff? If the Committee on Licenses has seen fit by a majority vote not to bring it in, they may be seeking other information they would like to have in order to bring it before the Body, and if it is brought up before the Body today, I will vote one way or the other. I say, Mr. President, I feel that we ought to have respect for the committee, the same respect that we have for the Council. I do hope that the License Committee will bring it out as soon as possible.

President KELLY—Councilor Bayley.

Coun. CANTWELL—Mr. President.

President KELLY—Councilor Cantwell.

Coun. CANTWELL—Mr. President, as a member of the Committee on Licenses this year, from the time the Waterways came in some time last year, I was in favor of it right along through, and I am in favor of it, and I still intend to vote for it because I think it is going to benefit the City of Boston. My hands are clean as far as being on the Committee on Licenses.

Coun. COOK—Mr. President.

President KELLY—Councilor Cook, not having spoken.

Coun. COOK—Mr. President, we have gone far afield and I would like to hear from somebody who knows some good and valid reason why this matter which has been threshed out since September 23, 1946, at two public hearings, Executive Committee hearings and License Committee hearings, remains in the committee and does not come out before the whole Body for a vote. I am not impugning anybody's motives, but I want to know what further information or what other reasons the Committee on Licenses has that it wants to keep it in its own committee instead of bringing it out one way or the other?

President KELLY—Councilor Coffey, the chairman of the committee.

Coun. COFFEY—There are a lot of things I am going to say. I don't think Councilor Cook was here when I took the floor before, I talked for about fifteen or seventeen minutes on the reasons why we did not bring it out.

Coun. COOK—I was here.

Coun. COFFEY—No, you were not here. We have gone far afield on this thing, Mr. President. It is too bad the councilor from Ward 14 is not here, but he said he had to catch a train at five o'clock. Couldn't he postpone taking it and take the water taxi to East Boston and take a plane? He could stay here until 8 o'clock then and listen to some of the reasons he is going to get, along with some of the other councilors that got up here in a high and mighty manner, and I hope to hell they don't think they scare anybody when they get up and pound the desk and holler about this, that and the other because they are going to get an answer whether they like it or not. They have gone far afield on this. Starting with Councilor Linchan, I want to say it might reduce

traffic in East Boston as he suggested, but I would know more about that. It won't affect our traffic one bit in East Boston. Cutting down traffic going to the airport does not mean anything to the residents of East Boston but cutting traffic to Suffolk Downs and the dog tracks does mean something to the people of East Boston. Any car going through the Summer Tunnel continues one half block and then they are off the grounds of East Boston all the way to the airport, so it is not going to relieve the traffic situation in any way whatsoever. The councilor from Ward 22 (Councilor Madden) got up hollering we are depriving the young veteran. What the hell are we going to do for these kids? Not only we in the Council, but he brought the Mayor in. I hate like hell to bring that argument up, veteran, veteran, veteran, veteran. The veteran does not want the argument brought up. Thirty years ago I was stupid enough to become a veteran, leaving high school, and my kid was stupid enough when he was eighteen years old to become a veteran because if you are wise you won't become a veteran, you will stay over here and get what is coming to you. You get the big bucks, not the \$50 a month these kids got, nor the \$30 a month I got. What the hell did we get for it? Why the hell does he blame the members of the City Council for what the veteran has not got? If there is anybody who has been for the veterans, it has been the members of the City Council. I think this is the only large city in the United States that passed a decent appropriation for veterans' housing. Nobody objected to it, we went along with it, and congratulated the gentleman from Ward 7 (Councilor Linehan) on his efforts; passed everything he brought in. Just because he happens to be interested in this veteran from Cohasset, a place where you can't go down and go in for a swim unless you are a resident of Cohasset—you get driven to hell out of there whether you are a veteran or not. You can hold the Distinguished Service Cross but you still can't go swimming in that private beach down at Cohasset. But that gentleman can come up here and he can get editorials printed in the Boston Herald from the famous Bill Mullins who fought Sutcliffe tooth and nail to keep him out of the airport and who has fought tooth and nail to put this man over in the airport. He has been asked at a meeting if Bill Mullins was his partner. Then we have the statement from the councilor from Ward 14 (Councilor Muchnick) that if you don't vote for this, you are one of those waiting for a payoff. I can go right back here to probably the only time anybody got a payoff in this Council, a report of the Executive Committee of July 22, 1946, when Councilor Fish submitted the following, chapter 315 of the Acts of 1946, entitled "An Act authorizing the city of Boston to refund to the Somerset Hotel Company of Boston a certain alcoholic beverage license fee"—that it be and hereby is accepted, and recommended the order ought to pass. "Councilor Muchnick. Mr. President, in view of the fact that I am counsel for the company, I would like to record I am not participating in the voting." There is one payoff. That definitely is a payoff, and I asked today if he was man enough to admit he was counsel for this Waterways, and if he was counsel for it, I asked him to excuse himself from voting and not vote on this matter. Muchnick is pretty cute in his ways. There has not been a week that he has not jumped up on two or three councilors and interrupted them just to throw them off their trend of thought and confuse them if possible, and ask for a point of order, ask for a point of information, and in 99 out of 100 times go on a leading statement where he is asking for no point of order and he is asking for no point of information. Now, he has been cute in this matter and brings out "if the chairman of the license committee wants me to state my reasons or one of my reasons which I would rather not do," he says, "as to why this is being held up before the committee, then I will state that reason." Who the hell does Muchnick think he is kidding? Especially me? I will take a buck and who the hell does not know it, and I am probably the only one who has guts enough to say I will take a buck. I would like to see the guy that does not take a buck, let me know the guy who does not take a buck. Who does he think he is kidding? A lawyer can go out and take a fee—

Coun. BAYLEY—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. BAYLEY—I don't think the gentleman from Ward 1 has the right to impugn the motives of all the councilors as apparently he is doing. I think he should be declared out of order, Mr. President.

President KELLY—The Chair will ask the councilor if he will stay on the question, which is to take it from the committee.

Coun. BAYLEY—Will the Chair rule on my point of order?

Coun. RUSSO—It is well taken.

President KELLY—The Chair has made its ruling by implication. He will ask the gentleman to stay on the question, which is talking on the matter of taking this from the committee. Councilor Coffey.

Coun. COFFEY—The trick of Councilor Muchnick's statement was the vote is pretty close, and Councilor Muchnick wanted to make that statement for only one reason, to put a little fear in some of those who might go along with us, who believe the city would lose revenue and cab drivers would be affected. Then, take Councilor Madden from Ward 22. He said he has talked to 200 cab drivers in his ward. That is pretty far distant from my ward and downtown wards where they do get a fare to the airport, a fare that is well paid. He has used that method in the past, and he is going to use it again in the future. He has used it for one reason, to keep those in line to vote for the passage of this order today. The councilor from Ward 11 (Councilor Moriarty) has walked in, and I was hoping Councilor Cantwell would be here. I am glad Councilor Lane is here, because I am going to speak on something pertaining to him. The councilor from Ward 11 will tell you, and so would Councilor Cantwell if he were here the same as Councilor Kinsella said, they were not interviewed by me, they were not approached by me. I never asked which way they were going to vote, but there were four members, a majority of the committee, opposed to this and they voted to lay it on the table, and I said when I got up here previously, I am one of those four who voted to lay it on the table, and there is proof sufficient to make a liar out of Muchnick which he is. Councilor Moriarty and Councilor Cantwell were never approached, they were never talked to on the matter, and they were never asked to vote against this matter; not once did I ask them to vote against this matter, they can vote as they see fit. I have no jurisdiction over them. In the event I needed one more vote to bring it out or keep it in committee, I would have asked them how they were going to vote. The gentleman from Ward 22 (Councilor Madden) says he is tired of the dilatory tactics and methods being used in this Council. He brought the Mayor in, he brought the contractors in, and he brought a lot of other things in, and he can get up and deny this or answer it, and it involves you also, Mr. President. Before we came to the vote for the presidency in 1946, Councilor Lane called me that morning —

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linehan, for what purpose does the gentleman rise?

Coun. LINEHAN—I don't see why the President allows —

President KELLY—I don't know what the gentleman is going to say.

Coun. LANE—What has the election of the presidency of this Council to do with this matter?

Coun. COFFEY—It is leading up to the question of the gentleman from Ward 22.

Coun. LINEHAN—Mr. President, will you rule whether that is in issue or not?

President KELLY—I will permit the councilor to proceed briefly. If he is not in order, I will rule it out of order.

Coun. LINEHAN—I certainly don't want to have anybody bring up what took place in regard to the presidency of this Council.

President KELLY—I assure you if the question is not in order, the President will rule it out of order. Councilor Coffey.

Coun. COFFEY—Mr. President, the gentleman from Ward 22 went far afield, went so far afield he had a kid on crutches in some hospital, and told about that kid and Jim—I suppose he meant Jim Curley—he told how Jim Curley was going to do something for that kid, get the kid a truck or something after he got out of the service. No one objected to his line of talk, there wasn't anyone who got up on the floor and asked what that had to do with the passage of the order. He talked about dilatory methods being used in the

Council, and he didn't like it, that was what made us the laughing stock of the city. As I said, Councilor Lane called me up in 1946, the morning of the election of the presidency of this Body. He said, "Who are you going to vote for?" I said, "Nobody. I have not made up my mind." He said, "Will you give Madden the first two votes?" I said, "Yes." He said, "All right, I promise you Madden will give you the first two votes."

President KELLY—The Chair will rule there is nothing under discussion on this matter.

Coun. LINEHAN—And I was the loser, and I don't mind objecting to it.

Coun. COFFEY—The one year I elected the president, the same gentleman —

Coun. LINEHAN—You didn't.

Coun. COFFEY—Oh, yes, I did, Bill Carey and I.

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linehan, for what purpose does the gentleman rise?

Coun. LINEHAN—Personal privilege.

President KELLY—State the personal privilege.

Coun. COFFEY—What has that to do with yielding the floor?

Coun. LINEHAN—When he said he elected —

President KELLY—Just a minute. Will Councilor Coffey yield the floor to Councilor Linehan?

Coun. COFFEY—No.

President KELLY—Councilor Coffey.

Coun. COFFEY—I kept my word and voted for Madden once. He voted for me once; got a call from Kelly and voted for Kelly on the second ballot.

President KELLY—The Chair will rule that has no bearing on the matter.

Coun. MADDEN—I am very much against this proposition. The argument advanced by Councilor Sullivan has been in good faith, and as Councilor Linehan has said, any councilor may well vote pro or con here and still be perfectly all right. I would like to answer Councilor Sullivan in a fair and impartial way. I don't question for one minute the figures as such, that there were 500 cars going through the tunnel. Who am I to question and say there should be 200 or 300 cars heading for the airport? I don't question these figures. I am saying this, gentlemen, for many months, yes, years, you have heard people say, "Let's do something for Boston, let us do something for the veteran," yet, it seems to me when that opportunity presents itself for some reason or other, the debate gets afield and gets dragged out. I think, and I believe, that the only possible cab drivers who at all would be affected and the only possible revenue that could be at all affected would be the cab drivers in the area of the South Station. Certainly, if a man gets a cab on School street at the Parker House or the Touraine, or any other place in the city, he is not going to say, "Drive me down to the water taxi." He is saying, "Drive me to the airport." I say in all fairness that there will be very little loss of revenue from taxicabs, with all due respect to Councilor Dan Sullivan; I don't doubt that there will be some loss but not as much as that. I heartily agree with Councilor Sullivan on his solicitude for the city treasury. I was a little bit pleased and much surprised today when I heard where the Finance Commission now say what Madden said months ago about excessive payments for ash and garbage is pretty near true, and the Finance Commission comes out today that overpayments for garbage and refuse removal exceeded a million dollars. That is what I said months ago. I am suggesting that as one way we could save money, much more than we lose in the loss of the taxicabs through Sumner Tunnel. It is regrettable that the men who come in here from the various districts, men who certainly stand up in the esteem of their neighbors—heaven knows, Coffey, Kinsella and Russo and Hannon and Lane or anybody, if their friends and neighbors did not think we were pretty decent fellows they would not send us here, and I don't think it comes with good grace for any other councilor to attack the motives of some other councilor because he disagrees with him. I don't say that in chastisement of Councilor Muchnick because I don't know what he was alluding to, but I have heard it said that there is a shakedown in this case, and it is regrettable that every single bit of business transacted by this Council casts some innuendo, smell, or reflection. I think the people in the various sections of the city have a pretty good idea of the background, the ability, the honesty, and the integrity of the men they send to City Hall. Certainly, the majority of the people in the various wards are not stupid when they send

a man to this august assembly. I am sure the people know what they are doing. I disagree with the venerable and capable councilor from Ward 1 (Councilor Coffey) that to be a veteran is stupid. If it is stupid, gentlemen, to offer your life, and it may be for the salvation of your country, then I have been stupid twice. But how about the young kids who had no alternative, boys of seventeen or eighteen in the draft age, are you going to call a boy pulled out of his classroom stupid. No, gentlemen. The stupidity lies with our gentlemen who for years and years have failed to evolve a formula that would stop wars and as a consequence the cry is that they had to be used, you might say, as fire extinguishers. One of these boys is back and he is not asking, gentlemen, for the world with a fence around it. He comes to you and me as a gentleman and he says, "Men, I have a proposition to make. I think it is on the up-and-up. I would like to establish a business in the City of Boston." I can't see any occasion or necessity for protracted debate. I can't see in sincerity why any such thing as this should be tabled. The fact is that it was tabled, and doubtless probably the committee had a good reason. I wasn't there so I certainly cannot impugn their motives, but I am saying this, gentlemen, as a veteran I go several times a month to various posts of which I am a member, for instance, to the Legion, the Veterans of Foreign Wars, Purple Heart; I have to, I served with these kids, and I have to stay with them now. Nobody is questioning the fact that Councilor Coffey was a veteran, but I do say this, gentlemen, and I don't say it to contravene anybody, I say it to carry on to you the story I get night after night in various veterans' organizations. They say to me, "Councilor, you were one of us. Is there any legitimate, decent reason why the city should not do something about veterans' housing? Is there any decent, legitimate reason why the veterans of the city should not have an opportunity to bid on garbage and ash removal? Is there any decent, legitimate reason why a veteran cannot start a waterways or any other legitimate business?" Of course not. I don't think it comes with good grace for those of us here who have been so highly honored by our constituents to put other councilors in the light or shadow that we are motivated and we act only under certain impulses or where there is a payoff. I think each and every one of us owe it to the Body itself and to the other councilors to refute and knock down any such rotten innuendoes. I think the remarks of Councilor Muehnick probably were a bit reprehensible, probably he spoke them in a tone of anger, but I am sure he intended no offence to any single councilor or to any member of this Body. It was one of those things, gentlemen, you may hear in the cloakroom, you hear it in the streets, "They say the Council is a ridiculous, laughable body," and they could not say that if we did not give them some opportunity to, and we have been giving them an opportunity in this particular case. It is just an honest, legitimate piece of business and something that might well be of benefit and of credit to the city and I for one cannot see any legitimate, honest reason for waiting. I may be all wet, but I can't see any honest, legitimate reason why this matter is not thrashed out on the floor and the man told, "Put in your boats," or, "Take them out."

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase, not having spoken.

Coun. CHASE—Mr. President, I believe the circumstances surrounding this are deplorable in view of what has been said in the Council today. It is regrettable, Mr. President, that the gentleman from East Boston saw fit to pass out a blanket indictment on each and every member of the Council who happens to be a member of the bar and likewise, Mr. President, it is regrettable that the gentleman from Ward 14 made the statement that he did. Under the circumstances, Mr. President, in view of the fact that these meetings are covered by the press, I think I can reasonably say from ten years' experience as a member of this Body, tomorrow morning the newspapers of Boston will print a very sad picture of the City Council. It is regrettable, sir, this incident has happened. I may say, sir, as a member of the City Council, as a member of the Massachusetts bar, I have no other motive in voting the way I have on this matter other than the fact that I believe I am voting right and properly, and I am basing my vote strictly on the merits of the case. It would seem to me the 700,000 population of Boston, because of the accusations and the innuendoes

hurled by the opponents and the proponents of this measure, are going to be left in darkness as to the true situation, the result being, Mr. President, that each and every one of the twenty-two members of this Council will be forced to carry some burden of the accusations hurled, and I again repeat, it is regrettable. I have not heard any such accusations one way or the other, other than what I have heard in this Chamber. I purposely have refrained from speaking on a number of occasions simply because I did not feel that it was necessary to become involved to the extent I should make a speech. I thought the merits of the case, sir, warranted my vote for the issuance of this license, but it is my candid, honest opinion, sir, in view of the delay, in view of the apparent disability of this Council to make up its mind as to what to do with this license, in view of the accusations, blanket accusations hurled today by both sides, in my opinion the Boston Finance Commission should thoroughly investigate this matter. I for one, sir, regret to speak the way I do, but I as a member of the Massachusetts bar do not intend to sit here as a member of the Council and have innuendoes hurled, that I as one of the members of the Massachusetts bar am interested in this matter other than strictly on its merits, and I feel, sir, that because of what Councilor Muehnick had to say and from what the gentleman from Ward 22 had to say that he has heard about shakedowns, I feel, sir, in view of all these things combined that the Boston Finance Commission should on its own investigate this matter to clear the entire atmosphere. This, sir, is not a matter of my doing, but I as one member of twenty-two feel that I have been unjustifiably brought into this, that I as one of the twenty-two will be forced to carry a certain stigma, and I personally would like myself cleared of whatever stigma may be attached to this matter. I hope, sir, the Finance Commission will investigate.

President KELLY—The question before us is removing this matter from the committee.

Coun. BAYLEY—Mr. President.

President KELLY—Councilor Bayley, not having spoken.

Coun. BAYLEY—I guess I started this debate by asking that the matter be taken from the committee. I agree with a great deal of what the distinguished councilor from Ward 4 (Councilor Chase) has said. It is unfortunate that the majority of us must be put under a stigma by the remarks of a minority. It is also unfortunate we stray so far afield when we argue the merits of a question. My motion was that this matter be taken from the Committee on Licenses, Mr. President. The petition of the Waterways came in six months ago, and six months ago it was referred to the Committee on Licenses properly, and the Committee on Licenses held a hearing. I believe at that time the matter was laid on the table. Eventually, in January, this matter was taken away from the Committee on Licenses and referred to the Executive Committee so that all of us have had an opportunity to discuss the matter. At that time, the members of the License Committee asked to have it referred back to that committee a second time to clear up certain points which had not been cleared up in their first hearing. Mr. President, that was on January 27, and the chairman of the Committee on Licenses, Mr. President, said he would hold a hearing on Friday and bring it back on Monday. If it had not been for that, I think a majority of the members of the Council would not have voted to send it to that committee. It was our understanding that on January 27 we would have a report on the following Monday, but we have not had a report since January 27. Mr. President, I think it is a wrong system in the Council or any other body when a small minority can hold up the wish of the well-intentioned majority. Mr. President, in a committee of seven members four votes one way can table a motion for one month, and we cannot take it away without 15 votes, and now we need 12 votes to take it away from the committee, a majority of the members on this floor, but if we have not 12 votes, a majority of the Council, the minority of the committee can hold it up. In the Legislature, it is voted it ought to pass or ought not to pass, and I think it is wrong for three men or four men to be able to table an order like this so that the wish of the majority is not regarded. I say to you, Mr. President, that it is up to us to take this order from the committee and those who are for it today can be so recorded and those against it can be so recorded. I want to go back in my district

and say how I voted. If certain councilors are against it, let them be recorded and let us not hold it up by a small minority in committee. We have had this six months. What kind of Body are we that a matter like this license be delayed? We ought to tell the gentleman concerned either it passes or it has not passed, not that it is tabled and in a committee which took it away a second time and promised it back on Monday. What kind of committee is this? As long as I am chairman of a committee, I will report it ought to pass or it ought to be defeated. Now, Mr. President, on many matters I am in the minority but I don't believe in holding it up by such a trick as holding it in committee. I don't believe in holding it up by debate. They know when the vote is cast that it is passed or not passed. I don't believe in that sort of thing. I think the majority should rule. We have shown the Council in its usual light, even more so today than usual. There is now a proposal before the Legislature to cut this Body from 22 to 9, and also the proposal of Plan E. How can the people of Boston say they want 22 men when they know what is going on like this today—delay, delay, delay? This is about your last chance to show what kind of Body you are. They will eliminate the 22-man Council if this is continued much more. I don't intend to serve another term in this Body, and I hope they have a nine-man Body. Are we going to have a majority vote here, or have the minority control? Let us have a roll call and show ourselves we are a Body and not the laughingstock many people regard us, and I might say, with a great deal of justification.

Coun. SULLIVAN—Mr. President, I am not surprised one bit at the remarks that the gentleman from Ward 5 (Councilor Bayley) just made. It is remarks such as his and the other so-called social leaders of the city, so-called good councilors like the councilor from Ward 14 (Councilor Muchnick) who made statements here today that give this Body bad publicity. Look over the record last year. They are the same ones every Monday getting up here and saying we are going to have a Body of nine, we are going to have Plan E, we are going to have proportional representation, and it is coming. They are the ones who are to blame for any bad publicity this Body has received in the last several years.

Coun. BAYLEY—Mr. President.

President KELLY—Councilor Bayley, for what purpose does the gentleman rise?

Coun. BAYLEY—Is the gentleman speaking on the order? I think he should be confined to the question in front of us.

Coun. SULLIVAN—I am leading up to that.

President KELLY—Councilor Bayley, I think the gentleman was leading up to the matter. Councilor Sullivan.

Coun. SULLIVAN—Mr. President, it is just the procedure of a group on Beacon Hill to deprive the poorer sections of the city of representation in sponsoring a nine-man Body. Did you hear one of them here speak about a proposal now before the Legislature to ask that the Legislature give us the same powers as they would give the nine-man board? I am sick and tired of hearing these councilors say we should be legislated out. It is all right for them to say it, that you can't have true convictions unless it is a pay-off. I was against this from the beginning, and I am going to ask in my remarks that this be laid on the table for one week, until Councilor Muchnick comes back, and let him go into his statements relative to the pay-off. It is a fine how-do-you-do when you are sincere in opposing something, something right from the beginning, to try blackmail, that is about the size of it, when he got up and made that statement. Nobody else heard it but him, and he has been the leader of the thing for the last couple of months.

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linehan, for what purpose does the gentleman rise?

Coun. LINEHAN—A point of order.

President KELLY—Will you state your point of order?

Coun. LINEHAN—I move the statement about Councilor Muchnick being the leader of this movement be declared out of order. Speaking on the motion.

President KELLY—Councilor Sullivan, the motion before the Body is to take this matter from the committee. Will you kindly confine your remarks to that motion?

Coun. SULLIVAN—Mr. President, there is nothing to stop me from talking on personal privilege.

President KELLY—Councilor Bayley, for what purpose does the gentleman rise?

Coun. BAYLEY—A point of order.

President KELLY—Will you state your point of order?

Coun. BAYLEY—Several gentlemen this afternoon have not been following Rule 21. I wish you would have that read out loud. I ask you to enforce Rule 21.

President KELLY—Councilor Sullivan.

Coun. SULLIVAN—I am talking now on a point of personal privilege due to the remarks of the councilor from Ward 14. Am I in order?

President KELLY—You have the floor now, Councilor Sullivan, but talking on the motion to remove this matter from the committee. That is the motion before the Body. Councilor Sullivan.

Coun. SULLIVAN—Mr. President, it seems to me every time I get up on the floor they want me to talk on the order, but it seems that they can get up and talk away and they don't want anyone to answer them. I always come right straight to the point and it takes only a few minutes to do it, but they talk for half an hour and take me for a trip around the world and then come back with everybody is a grafter and we are supposed to sit here and take it. It is the same story with the councilor from Ward 5; he hopes this Body is legislated out of here, he hopes to have a nine-man Body. Why? You gentlemen can answer that one. If we had his money we probably would not be here. Now, Mr. President, I am going to ask that this be laid on the table for one week until Councilor Muchnick returns.

President KELLY—Councilor Sullivan moves that this be tabled for one week?

Coun. SULLIVAN—Yes.

President KELLY—Councilor Sullivan moves that this motion be tabled for one week. All those in favor of the motion please say "aye." Those opposed, "no." It is not a vote. The question now comes on taking this from the committee.

Coun. RUSSO—Mr. President.

President KELLY—Councilor Russo, talking on the motion.

Coun. RUSSO—Talking on the motion, Mr. President. Certainly it is too bad that we today have heard many indirect accusations just on a simple motion to take from the committee, and to impugn the motives of the councilors. It has been brought out again, this veteran question. I say to all the members that I for one don't want to have the public at large understand that my vote one way or the other is either for the veterans or opposed to the veterans because I believe that when any question comes in where the veteran is concerned we are doing something good for all the veterans or something bad for all the veterans. That is the only time that the question of veterans enters into my mind. So, therefore, I would eliminate any action of any councilor whether he votes for or against it. I maintain that all the discussion that has taken place here today certainly has put the Council in a bad light, but I would like to ask also to take into consideration the Congress of the United States, the Senate branch of Congress, the State Legislature, and the Senate, or take any alderman, take all; isn't it a fact that as soon as the word "politician" has been spoken, there is supposed to be graft and corruption? Then, if that is the intent, I say there is graft and corruption from the President of the United States down to the lowest public office holder. As I stated last week, with all its corruption, with all its faults, that we may be accused of, regardless of what branch we may serve, state, city, or Federal government, at least we have the right to express our opinion, and it is the best form of government throughout the world. I am not afraid of any accusations, I am not afraid of what they say behind doors as long as I vote according to my conscience. Therefore, in regard to taking this from the committee, I say that we ought not to take it from the committee. It is too bad the previous motion to lay it on the table until such time as Councilor Muchnick may have the time to be here to answer some of the accusations that he has made was not carried. I feel that the Council owes it to itself to lay this on the table or not to remove it from the members of the committee, but let the councilor from Ward 14 be here present, and I can assure you in so far as I am concerned that, if next week he is present here, I will vote to take it away from the committee.

if the committee does not bring in a report. I say we owe it to ourselves. It is too bad the accusations have been made, but as one of the members I feel each and every one of us feel the same way I do, that to take away that stigma either from the proponents or the opponents of this particular license, we ought to wait for at least another week so that the councilor who made the accusation can be present.

Coun. COFFEY—Mr. President, I won't be long because I know we are all getting weary of this matter, but I can't help mentioning that I don't know how Plan E got in on this. As far as I am concerned, I don't care about Plan E, a nine-man board or 22-man Council, the hell with both of them. But I want to go back to about six weeks ago when the gentleman from Ward 14 was very much peeved when he asked me to bring the matter back and I told him the committee saw fit to keep it in committee. He got up here and had the gall to offer a motion to abolish the committee because he did not win his point in having it taken out of committee. That is No. 1. No. 2 is this, the councilor from Ward 5 states this has been before the committee six months. I have been chairman of this committee this year. I was not chairman of the committee last year. It has been held up a matter of five weeks. The councilor from Ward 5 made the statement I promised to give action on it within a week. That was on a Monday. I held a meeting that Friday, but I also made the statement in the presence of Mr. Fairbank and I think all the members here that I was not speaking for the committee, but that I would take a vote of the committee and I did not promise what action they would take, but I did promise action, and I got that action, and the action was in the reverse; they voted to keep it in committee. Now, several months ago an editorial appeared in the Boston Herald and it stated two members of the Committee on Licenses had spoken in opposition to Waterways, Inc. They meant Councilors Scannell and myself. They did not mention our names but then there was an editorial following it in the Herald-Traveler, another editorial written by William Mullins, and the editorial went on to state just these two councilors opposed it and these two councilors were councilors who had no other means of livelihood but politics. Let me say for Mr. Mullins who wrote the editorial that he has made more out of City Hall than any other councilor, and that he has been a better councilor than any other councilor. He broke with one administration after another because he was not getting the things he wanted at City Hall. I would like to swap places with him tomorrow. Give him this seat, give him this voice but not write editorials, but just for the contacts he has made in the past in City Hall. That is why William Mullins is all for it, there must be something in it, and if there is something in it, there are not two payoffs, there is one payoff, and naturally it would not be to the opposition, and the best proof there is no payoff in the committee is the proof of the councilors who were never even approached, never were approached and asked to vote on this matter one way or the other because there were enough votes in the committee to keep it in committee. They were not approached, they knew nothing whatsoever about the four members who voted to keep it in committee. If there is any wrongdoing it is on the other side. I repeat, I am not the most honest fellow who ever came in this Council, and I repeat again, and it costs nothing to repeat it, I am not the only fellow who would take a buck. I am not casting any reflections on anybody when I say that because we can go back to Judge Wilson, probably the most honest councilor on this Body for twelve long years. He met a fellow at a ball one night who said, "You were taken care of today in such a matter." He said, "Not me." "Oh, yes, I saw your name down." You can take that from Judge Wilson making this statement he was even told he got something as a member of this Body, but nobody would talk, he was too big a man and still is too big a man, one of the most respected men who ever held public office or came in this Body. The gentleman from Ward 5 in his ignorance makes the statement that it would not happen in the Legislature. I have had hills in the Legislature kicked around and held up seven or eight months so that I could not get it on the floor and have the bill reported on for a vote. My little heano bill was deliberately kept back, and Councilor Chase

can prove that. They fought it tooth and nail. Ho fought it, and I give him credit on this floor as a fighter. We have had a lot of good fights in here during the past eight years. We have fought a lot of times but we have never hit below the belt yet. They hold matters before their committees and do as they damned well please with them, but the shoe is on the other foot. Up there it is a Republican body, down here it is a Democratic body, and if we don't act the way some members want us to act, they always try to throw a cloak of suspicion over the members opposed to them, hoping as the result of that they will get favorable publicity. To me it does not mean anything one way or the other personally. I don't want it to pass, but it is not going to affect me personally. Being selfish I can say that. But my thought is that some of my boys in my district are making a living out of the airport, and it is going to hurt them in the future. It is up to you, do whatever you want to do.

Coun. MADDEN—I move the previous question.

President KELLY—The question is on the motion to take from the committee. All those in favor please rise. Those opposed to taking from the committee, please rise. Eleven in the affirmative and three in the negative, and the motion is lost.

Coun. BAYLEY—I doubt the vote and ask for a roll call, and ask that you ring the bell.

Coun. COOK—I doubt the vote.
President KELLY—Councilors Bayley and Cook doubt the vote. The clerk will please call the roll.

The roll was called, with the following result:
Yeas—Councilor Bayley, Bryan, Cantwell, Chase, Cook, Hannon, Keenan, Lane, Linehan, Madden, McCormack—11.

Nays—Councilor Coffey, Russo, Sullivan—3.
Present—Councilor Kelly, Kinsella—2.
President KELLY—Eleven in the affirmative and three in the negative, and the motion is lost.

BEQUEST OF EMANUEL NATHAN.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1947.
To the Honorable the City Council.

Gentlemen,—Charles S. Bolster, Esquire, Trustee under the will of Emanuel Nathan, late of Boston, Mass., has presented to the City of Boston a draft in the amount of one thousand dollars (\$1,000) payable to the City of Boston "to be used for the benefit of the City Hospital on Harrison Avenue" in payment of the specific charitable bequest to the City of Boston by Mr. Nathan.

Emanuel Nathan was born in Hungary and in his early youth as an immigrant came to our country and adopted as his home our city in the early thirties of the nineteenth century. Mr. Nathan resided on Elmwood court in the Roxbury Crossing district, and in this district he engaged in business, organizing and developing the Roxbury Chemical Works.

As Mayor of the City of Boston and in its name, I am very pleased to present to your Honorable Body for your acceptance this charitable bequest of Emanuel Nathan. It is the underlying thought as expressed in gifts like Mr. Nathan's that cause our charitable institutions to carry on with renewed faith and zeal in the service of our citizens.

I respectfully request passage of the accompanying order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Whereas, Emanuel Nathan, late of Boston, Massachusetts, by his last will and testament provided as follows:

"Eleventh . . . I direct . . . that here he paid . . . the sum of one thousand dollars unto the City of Boston to be used for the benefit of the City Hospital on Harrison Avenue . . .", and

Whereas, Charles S. Bolster, Esquire, Trustee under the will of Emanuel Nathan, as aforesaid, has presented to the City of Boston a draft in the amount of one thousand dollars (\$1,000) payable to the City of Boston in payment of the testator's bequest to the City of Boston for the

benefit of the City Hospital on Harrison avenue; now therefore it is hereby

Ordered, That the bequest of Emanuel Nathan, late of Boston, to the City Hospital on Harrison avenue be, and the same is hereby, accepted by the City of Boston; and it is hereby further

Ordered, That the Treasurer of the City of Boston be, and he hereby is, authorized in the name and behalf of the City of Boston to receive and receipt for the said draft in the amount of one thousand dollars (\$1,000) and such further sum or sums, if any, as may hereafter be paid on account of the bequest of Emanuel Nathan, and the Treasurer of the City of Boston is hereby directed to place the same to the credit of the City Hospital to be used for the benefit of the City Hospital on Harrison avenue.

President KELLY—The question comes on the passage of the order. Councilor Kinsella, talking on the order.

Coun. KINSELLA—I move the Council pass the order and send a letter of thanks to any proper party who may be able to receive such thanks.

Coun. SULLIVAN—Mr. President, the regular procedure is to send such matters to the Executive Committee.

President KELLY—It is referred to the Executive Committee.

Coun. BAYLEY—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. BAYLEY—Speaking on that reference. I don't see why this matter should be referred to the Executive Committee. It is not costing the city anything, and there is no need to investigate. We are getting a gift, and I do not see why we do not accept it.

President KELLY—It is customary to send the acceptance of the gift to the Executive Session. That has been the custom over a period of years.

CLEANING OF STREETS, WARDS 6 AND 7.

Coun. LINEHAN and SCANNELL offered the following:

Ordered, That his Honor the Mayor request the Public Works Commissioner to repair and clean the streets along the route of the March 17th parade in Wards 6 and 7.

Passed under suspension of the rules.

RECESS.

Coun. SULLIVAN—I move we take a recess for the purpose of going into Executive Session.

President KELLY—Councilor Sullivan moves we take a recess for the purpose of going into Executive Session.

Coun. BAYLEY—I understood there was a motion to adjourn before. I make a motion now we adjourn.

President KELLY—He withdrew that motion.

Coun. BAYLEY—I make a motion we adjourn.

President KELLY—Councilor Bayley makes a motion that we now adjourn.

Coun. SULLIVAN—Mr. President, is my motion in order?

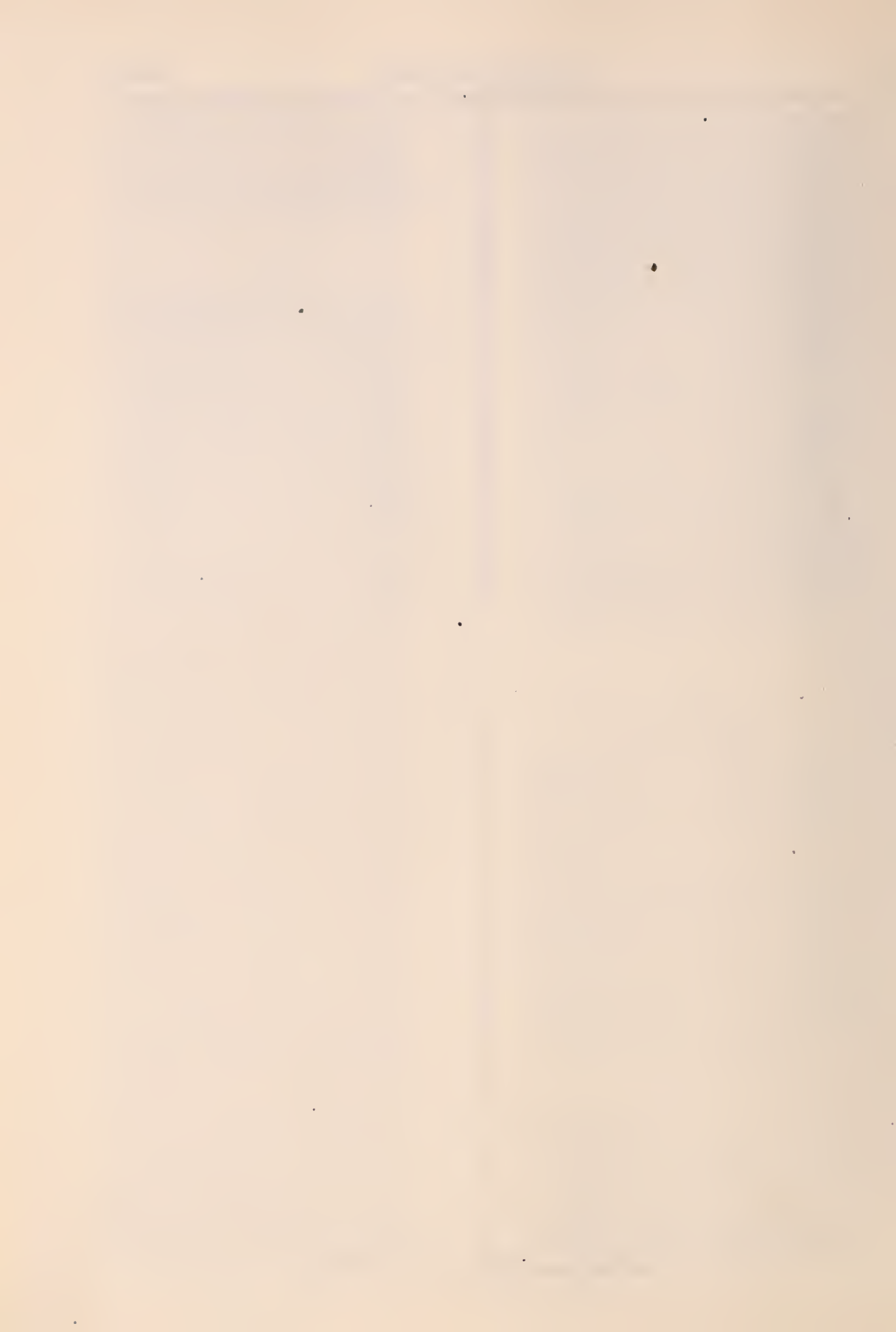
President KELLY—Your motion is in order, but Councilor Bayley's motion takes precedence over yours.

Coun. SULLIVAN—Was Councilor Bayley recognized?

President KELLY—I thought he was going to talk on your motion. I recognized Councilor Bayley.

Adjourned, on motion of Councilor Bayley, at 5.50 p. m., to meet on Monday, March 10, 1947, at 2 p. m.





CITY OF BOSTON.

Proceedings of City Council.

Monday, March 10, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Fish and Scannell.

The meeting was opened with the salute to the Flag.

Coun. BAYLEY—Mr. President.

President KELLY—Councilor Bayley.

Coun. BAYLEY—Mr. President, I would like to call to your attention and that of the members of this Body the salute we are using. Chapter 607, Public Law 287, House Joint Resolution 180, approved December 28, 1945, provides "Section 7 of Public Law Numbered 623 of June 22, 1942, entitled to codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America as amended, is amended to read as follows:

'Section 7. The following is designated as the pledge of allegiance to the flag: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands—one Nation, Indivisible, with Liberty and Justice for all." Such pledge should be rendered by standing with the right hand over the heart. However, civilians will always show full respect to the flag when the pledge is given by merely standing at attention, men removing the headdress. Persons in uniform shall render the military salute."

Mr. President, I believe under those terms, whoever gives the salute should salute with his right hand over his heart and the rest of the members at attention in accordance with the Act of Congress approved December 28, 1945.

President KELLY—In view of the Federal statute, starting next Monday the President of the Council will salute the Flag in that manner, and the rest of the Council stand at attention.

ANGLE PARKING, DAY SQUARE, EAST BOSTON.

The following was received:

City of Boston,

Office of the Mayor, March 3, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Traffic Commission, relative to your order of December 8, 1946, concerning the making of arrangements for angle parking at Day square, East Boston.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,

Traffic Commission, February 28, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—This is in reply to Council order dated December 9, 1946, which reads as follows:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to make arrangements for angle parking at Day square East Boston.

At a meeting of this Commission held on February 27, 1947, it was voted to lay this matter on the table until more specific locations in Day square are requested.

Very truly yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

SALE OF LAND AT COMMONWEALTH AND CHESTNUT HILL AVENUES.

The following was received:

City of Boston,

Office of the Mayor, March 8, 1947.

To the City Council.

Gentlemen,—An order was submitted to your Honorable Body on January 6, 1947, for the sale of land at Commonwealth and Chestnut Hill avenues, Brighton, at public auction, at an upset price of \$110,000.

It is my understanding that your Body has given this order one reading. I respectfully request that a second reading be given this order at an early date.

It would appear desirable and in the best interest of the city that prompt action in this matter be taken, especially in view of the fact that it is possible, at this time, to realize more from the sale of this land than may be possible at a later date.

Respectfully,
JAMES M. CURLEY, Mayor.

Referred to Executive Committee.

SALE OF PROPERTY TO ELIOT SQUARE POST.

The following was received:

City of Boston,

Office of the Mayor, March 10, 1947.

To the City Council.

Gentlemen,—On March 3, 1947, I transmitted to your Honorable Body an order for the sale of land and building at Elmwood street, Roxbury, to the Eliot Square Post of the American Legion, for the sum of \$200.

On further consideration, and in order to comply with a policy of selling all public lands at public auction, I hereby respectfully request your Honorable Body to reject, without further consideration, the above-described order.

I am, however, transmitting this day an order for the sale of this property at public auction, and it is my hope that the Eliot Square Post of the American Legion are the eventual purchasers, in that this organization are the present tenants of this property and have, I am informed, spent considerable money in renovating the premises.

Respectfully,
JAMES M. CURLEY, Mayor.

Referred to Committee on Public Lands.

SALE OF PROPERTY ON ELMWOOD STREET, ROXBURY.

The following was received:

City of Boston,

Office of the Mayor, March 10, 1947.

To the City Council.

Gentlemen,—I submit herewith an order for the sale of land and building on Elmwood street, Roxbury, no longer needed for any public purpose. The order contemplates the sale of this property, at public auction, at an upset price of two hundred dollars.

This order is in substitution for the order submitted to your Body on March 3 which, under separate message, I have requested your Body to reject without further consideration.

Before the property in question can be used satisfactorily for any purpose, a considerable expenditure must be made. Consequently, I have accepted the recommendation of the Superintendent of Public Buildings that it be sold for not less than two hundred dollars.

I respectfully request passage of the accompanying order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Whereas, The City of Boston owns in fee a certain parcel of land containing approximately three thousand five hundred nine (3,509) square feet of land, together with the building thereon, situated on the westerly side of Elmwood street, at the corner of Elmwood court in the Roxbury district of the City of Boston; and

Whereas, The said parcel of property is no longer required for public purposes; now, therefore, it is hereby

Ordered, That the Superintendent, Public Buildings Department of the City of Boston be, and he hereby is, authorized in the name and behalf of the City of Boston to sell at public auction at an upset price of two hundred dollars (\$200), all the City of Boston's right, title and interest in and to said parcel of property, hereinafter described; and it is hereby further

Ordered, That his Honor the Mayor of the City of Boston be, and he hereby is, authorized in the name and behalf of the City of Boston to execute and deliver to a purchaser at said public auction a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all the City of Boston's right, title and interest in and to said parcel of property, hereinafter described. The said parcel of property is bounded and described as follows:

Easterly by the westerly line of Elmwood street, thirty-nine and 95-100 (39.95) feet; southerly by land, now or formerly of John C. Goerhing *et al.*, and of Carl Bisenbach *et al.*, eighty-one and 30-100 (81.30) feet; westerly by other land of the City of Boston by a line through the center of brick wall, forty-eight (48.00) feet; northerly by the southerly line of Elmwood court, seventy-nine and 14-100 (79.14) feet, containing three thousand five hundred nine (3,509) square feet of land, more or less. Said parcel of land, the location of the building thereon, and all of said measurements are shown on a plan marked "City of Boston, Elmwood Court, Elmwood Street, Roxbury, February 11, 1947, Thomas F. McGovern, Chief Engineer, Street Laying-Out Department." The original plan is on file in the office of the Street Laying-Out Department, City Hall, Boston, Mass. Referred to Committee on Public Lands.

TRANSFER OF LAND TO FIRE DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, March 10, 1947.
To the City Council.

Gentlemen,—I transmit herewith an order for the transfer of 417 square feet of land in the rear of Charter street, North End, from the Board of Real Estate Commissioners to the Fire Department.

In the construction of a new fire house at this location, it is desirable that this additional piece of land be available.

I, therefore, respectfully request passage of the accompanying order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Board of Real Estate Commissioners,
March 10, 1947.

Hon. James M. Curley,
Mayor of Boston.

My dear Mr. Mayor,—I am presenting for your approval and that of the City Council, four copies of an order for the transfer from the Board of Real Estate Commissioners to the Fire Department, of the following property, to be used for the location of a new fire house:

Land lying in the rear from the southwesterly side of Charter street, area, 417 square feet. File, M-173.

Very truly yours,
IRVING LEWIS, Chairman.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated February 28, 1947, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 6042, page 473, on about four hundred seventeen (417) square feet of land lying in the rear from the southwesterly side of Charter street, Boston; and

Whereas, The Fire Department has requested that the aforesaid parcel of foreclosed tax title property be transferred to the Fire Department for the purposes of establishing thereon a fire house; now, therefore, it is hereby

Ordered, That the aforesaid parcel of foreclosed tax title property be, and the same hereby is, transferred from the care, custody, control and management of the Chairman, Board of Real Estate Commissioners, to the care, custody,

control and management of the Fire Department for Fire Department purposes.

Referred to Committee on Public Lands.

PETITIONS REFERRED.

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

Claims.

Blacker & Shepard Company, for compensation for damage to car by fire apparatus.

R. A. Buccella & Sons, to be paid for sewerage work done in Appleton street.

William Corbin, for compensation for loss of clothing at City Hospital.

James E. Coyle, to be reimbursed as result of accident which occurred while in performance of duty as employee of Public Works Department.

Richard DeCoursey, for compensation for loss of time and money as taxi driver caused by damage to taxi on Everett street.

Leo L. Duffy, for compensation for loss of clothing while patient at City Hospital.

Gertrude R. Ellis, for compensation for damage to property at 19 Mt. Vernon avenue, caused by truck of Fire Department.

R. W. Foley, for compensation for damage to car by fire apparatus.

John F. Gallagher, to be reimbursed as result of accident which occurred while in performance of duty as employee of Public Works Department.

John M. Kelly, for compensation for damage to car by fire apparatus.

Lillian Lookner, for compensation for damage to property at 38 Walnut park, Roxbury, caused by defective sewerage system.

Elinor McLaughlin, for compensation for injuries caused by an alleged defect in Southbourne road.

Mary McMillan, for compensation for injuries caused by an alleged defect at 106 Westville street.

Catherine A. Murphy, for compensation for damage to car caused by an alleged defect in Everett street, Brighton.

Walter A. Ramsey, for compensation for injuries caused by city car.

Thomas P. Ryan, to be reimbursed as result of accident which occurred while in performance of duty as employee of Public Works Department.

Robert E. Smith, *et al.*, for compensation for injuries and damage to property at 106 Clare avenue, Hyde Park, caused by backing up of sewerage.

Eugene Sullivan, for compensation for damage to car caused by an alleged defect in East Cottage street.

William P. Gross, for compensation for clothing lost at City Hospital.

Executive.

Petition of Bridget A. Lynch to be paid annuity on account of death of husband, Patrick W. Lynch, late member of Fire Department.

PERMITS FOR CHILDREN TO APPEAR.

Petitions for children under 15 years of age to appear at places of public amusement were received as follows:

New England Chapter of R. S. R. O. A. (Bal-A-Rone), Boston Garden, March 17.

D. Tierney, Jordan Hall, March 14, 18.

Norris Studio of Dancing, Jordan Hall, June 7.

Rev. Thomas J. Burns, J. P. Timilty Hall, March 9.

Maria Paparello, Jordan Hall, June 3.

Permits granted under usual conditions.

DESIGNATION OF ACTING TRAFFIC COMMISSIONER.

Notice was received from the Mayor of designation of Robert P. Curley, Commissioner of Public Works, as Acting Traffic Commissioner.

Placed on file.

APPOINTMENT OF TRAFFIC COMMISSIONER.

Notice was received from the Mayor of appointment of Leo F. Curley, 122 Bowdoin street, to be Traffic Commissioner for term ending April 30, 1948, *vice* William P. Hickey, deceased.
Placed on file.

STATEMENT BY PRESIDENT KELLY.

President KELLY—The Chair desires to make a statement. The Chair will state that no debate or discussion will be permitted at today's meeting concerning the rumors or charges of irregularities in the city government. The Chair takes official notice that the District Attorney has these matters under scrutiny and investigation, and for that reason the Chair feels that these matters should not be further discussed in this Body until the present investigation has come to a conclusion. Consequently, the Chair now announces he will rule as out of order any attempt either by point of personal privilege, or otherwise, to discuss any matters concerning prevalent rumors or charges. The Chair is of the opinion, under the circumstances, this Chamber is not the proper place to debate such matters, which are or may be under scrutiny by responsible legal officials. The Chair hopes the membership will understand the motive for this ruling, and will accept it as made in good faith and with good intentions, and the Chair sincerely hopes he will not be forced to make any rulings on this matter today.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

1. Report on petition of Boston Elevated Railway Company (referred January 13) to operate motor vehicles between Maverick street and Logan Airport—recommending that leave be granted.

The report was accepted, and the permit was granted under usual conditions.

2. Report on petition of Alvaro Mezzetti, hase-ment, South Station (referred February 3) to operate bowling alleys on the Lord's Day—that same be granted.

Report accepted; permit granted under usual conditions.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. BRYAN, for the Committee on County Accounts, submitted the following:

Report on message of the Mayor and order (referred March 3) amending Compensation and Classification Plans, Registry of Deeds—that same ought to pass.

The report was accepted, and the order was passed.

THE NEXT MEETING.

President KELLY—The Chair will accept a motion that when we adjourn today, we adjourn for two weeks from today on account of next Monday being a holiday.

Coun. SULLIVAN—I make the motion, Mr. President.

President KELLY—Councilor Sullivan makes a motion that when we adjourn today we adjourn for two weeks from today, to March 24.

The motion was carried.

RECESS.

Coun. SULLIVAN—I move we now take a recess for the purpose of going into Executive Session.

President KELLY—Councilor Sullivan moves that we now take a recess for the purpose of going into Executive Session.

The Council went into Executive Session at 2.16 p. m., on motion of Councilor Sullivan, subject to the call of the Chair.

The members reassembled and were called to order by President Kelly at 2.55 p. m.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of John P. Cronin (referred March 3) to be Constable, without power to serve civil process and to serve without bond, for term ending April 30, 1947—recommending that appointment be confirmed.

Report on appointment of Sidney M. Limer (referred March 3) to be Weigher of Coal, for term ending April 30, 1947—recommending that appointment be confirmed.

Report on appointment of Edward D. Landry (referred March 3) to be Weigher of Goods, for term ending April 30, 1947—recommending that appointment be confirmed.

Report on appointment of Thomas F. Culkeen (referred March 3) to be Weigher of Goods, for term ending April 30, 1947—recommending that appointment be confirmed.

The reports were accepted, and the question came on confirmation of the appointments.

President KELLY—The question now comes on the confirmations, and the Chair will appoint Councilors Cook —

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase, for what purpose does the gentleman rise?

Coun. CHASE—Mr. President, do I understand that one of those confirmations is pertaining to a city constable?

President KELLY—One is a city constable and three are weighers.

Coun. CHASE—One is paid by the city treasury?

President KELLY—That is right, councilor.

Coun. CHASE—Mr. President, I want to object to the appointment of this constable. I have in mind, sir, that his Honor the Mayor on the day of his inaugural said that he was not going to appoint any more constables, and he pointed out that there were already too many constables on the pay roll, and that they are unnecessary, and today and a few weeks back he violated that promise and he has been appointing constables. Today we have almost as many constables on the public pay roll as we did when he entered public office. I feel, Mr. President—

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman rise, Councilor Muchnick?

Coun. MUCHNICK—Will the councilor yield?

Coun. CHASE—I don't care to yield.

President KELLY—I am sorry, Councilor Chase does not yield for a question. Councilor Chase.

Coun. CHASE—I feel, Mr. President, that inasmuch as the city is spending approximately \$100,000 a year for these constables, and that since approximately one half the number are apparently political appointees by his Honor the Mayor and that I personally don't know where his political pets are being stationed, I don't know, sir, whether or not they are actually performing work that they are supposed to do, I feel I am not justified in casting my vote in the affirmative. I would like to know, sir, definitely what type of work these constables do, if any. I would like to know definitely, sir, relative to the personal appointees of his Honor the Mayor, whether or not they are actually performing duties and giving valid consideration in return for the money paid to them by the city treasury, or whether or not they report in once a week for their pay, that in and of itself being the only work they do, reporting in to the city treasury. The Finance Commission has on any number of occasions criticized your councilors, and I feel in view of what I have said, sir, that I would not be justified in casting my vote in the affirmative. I would like, sir, that the Committee on Constables definitely find out what departments the various constables are working in and what their duties are, how many hours per day they work on their jobs and so on. I, sir, can candidly say I don't have any idea of such information, and I shall vote in the negative.

President KELLY—The question first comes on confirmation.

Coun. MADDEN—Mr. President.

President KELLY—Councilor Madden.

Coun. MADDEN—I don't believe the councilor from Ward 4 (Councilor Chase) would object in this case if he knew it was a replacement. This is my constable, and I guard the appointment very zealously because in my 15 months at City

Hall, the Mayor has magnanimously given me one job, one constable, and the constable he OK'ed before is very sick and has been sick for some time in the Marine Hospital in Brighton. This nomination is merely a replacement.

President KELLY—The question now comes on confirmation, and the Chair will appoint Councilors Moriarty and Cook to receive, sort and count ballots.

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linchan, for what purpose does the gentleman rise?

Coun. LINEHAN—A point of information.

President KELLY—Will you state your point of information, councilor.

Coun. LINEHAN—Are we voting on all the appointments at the same time?

President KELLY—That is right, all together.

Coun. LINEHAN—I move they be separated and voted on separately.

President KELLY—Councilor Linehan moves the division of the question. The first vote will be on the constable.

Coun. LINEHAN—Mr. President, may I clarify my motion?

President KELLY—No discussion now. I am sorry, councilor. No discussion now while we are balloting.

The appointment of John P. Cronin as Constable, without power to serve civil process and to serve without bond, for term ending April 30, 1947, was confirmed, yeas 19, nays 1.

President KELLY—The question now comes on the confirmation of the weighers, and the Chair will appoint Councilors Lane and Kinsella to receive, sort and count the ballots.

The appointments of Sidney M. Limer as Weigher of Coal, and Edward D. Landry and Thomas F. Culkeen as Weighers of Goods were confirmed, yeas 19, nays 0.

REPORT OF COMMITTEE ON ORDINANCES.

Coun. HURLEY, for the Committee on Ordinances, submitted the following:

Report on message of Mayor and ordinance (referred January 6) for increase in rates of *City Record*—that same ought to pass.

The report was accepted, and the ordinance was passed.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred March 3) accepting bequest under will of Emanuel Nathan—that same ought to pass.

The report was accepted, and the order was passed.

2. Report on message of Mayor and order (referred January 6) for sale of steamer "Michael J. Perkins" for upset price of \$5,000—that same ought to pass.

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

Coun. MÜCHNICK—Mr. President, I move this be sent back to the Executive Committee with instructions to request the Commissioner to get an appraisal before resubmitting it.

President KELLY—Councilor Muchnick moves that this be returned to the Committee.

Coun. COFFEY—Mr. President.

President KELLY—Speaking on the motion, Councilor Coffey.

Coun. COFFEY—Mr. President, we have had the Institutions Commissioner before us. He told us one other time he tried to auction the boat off for higher than \$5,000 and received no bid whatsoever, and the boat is in poor condition, and he is fortunate in getting anybody to bid \$5,000 which is the upset price. We have wasted about five weeks' time on this, and the Committee saw fit to report on this favorably. I think we will be wasting our time and the Commissioner's time if we send it back to Executive again. In Executive today a member sought to start this order and send it out on the floor so that we could get some action on it. I don't see any reason why there should be any delaying tactics used at this time. I hope the order is passed and as long as it is going off at public auction, nobody is going to be hurt.

President KELLY—The question is on referring this back to the Executive Committee.

Coun. BAYLEY—Mr. President.

President KELLY—Councilor Bayley, talking on the reference.

Coun. BAYLEY—I hope this matter is referred back to the Executive Session. We have had some evidence put before us that at least the sum of \$50,000 has been spent on this boat in the last two or three years. If a boat has had \$50,000 spent on it, is it not worth more than \$5,000? I think we can get that opinion from an appraiser, and I hope this is referred back to the Executive Committee.

President KELLY—Councilor Russo.

Coun. RUSSO—In so far as an appraisal is concerned, Mr. President, certainly it might be worth more if you can get the buyer. I feel if you have the buyers, they will be at the auction sale and they can bid more if they want, and if they need the boat, and if the boat is worth more to them, they will bid more. What are we going to gain if we get an appraisal of the boat and the boat is appraised at \$40,000? Can you expect to get \$40,000 if you cannot get the buyer? You are putting it up at public auction, and I feel that, if it is the \$5,000 upset price and if there are other bidders who feel the boat is worth more, they will bid for it, but we will get nowhere by having an appraisal of the boat, and we won't get more for it.

President KELLY—The question comes on referring this matter back to the Executive Session.

Coun. MUCHNICK—Several weeks ago when the Institutions Commissioner was before the Executive Committee, he indicated he did not know why he picked the figure of \$5,000 rather than any other figure as an upset price. He agreed, if I remember correctly, with the majority of the members at that time that an appraisal probably would be a good thing, to give him a guide as to what the upset price ought to be, and what a fair price at auction ought to be. He indicated at that time that he would get such an appraisal and would report back to the Executive Committee. In view of those conditions, it seems to me the only logical thing to do is to send it back to the Executive Committee and wait until that appraisal is obtained and given to us so that we will know how to act intelligently.

President KELLY—The question comes on referring this matter back to the Executive Session.

Coun. RUSSO—Mr. President.

President KELLY—Councilor Russo.

Coun. RUSSO—I would like to ask if you know what was the upset price when it was first put up for public auction.

President KELLY—I don't think this has come before the Body before, councilor. I think you are referring to a fireboat; \$5,000 is the upset price on this boat, councilor. The question is on the motion to refer this matter back to Executive Session. All those in favor, say "aye"; those opposed, "no". The Chair is in doubt and will ask for a rising vote.

The motion to refer back to the Executive Committee was carried by a rising vote.

Coun. COFFEY—I move reconsideration.

President KELLY—Councilor Coffey moves reconsideration.

Coun. COFFEY—I want to amend the order to read \$100,000.

President KELLY—The first motion, councilor, is reconsideration.

Coun. COFFEY—I move to amend it.

President KELLY—Councilor Coffey moves reconsideration.

The motion to reconsider was not carried.

3. Report on message of the Mayor and order (referred March 3, 1947) relative to sale of pigs at Deer Island—recommending passage of accompanying draft:

Ordered, That the Commissioner of Penal Institutions be, and hereby is, authorized to sell three hundred surplus pigs at a fair market value after competitive bids have been received.

The report was accepted, and the order was passed.

ROPING OFF OF UNION PARK STREET.

Coun. HURLEY offered the following:

Ordered, That the City Messenger be, and hereby is, authorized to close and rope off the section of Union Park street between Washington street and Harrison avenue between the hours of 2 and 4 p. m., on Saturday, April 12, 1947, the

expense of same to be charged to the appropriation for Flags, Ropes and Stakes. The purpose of the above is the Cathedral Club's 37th annual ten mile road race.

Passed under suspension of the rules.

ENDORSEMENT OF SENATE BILL 113.

Coun. HANNON and BRYAN offered the following:

Ordered, That the City Council record itself as approving the contents of Senate Bill 113, now pending before the Massachusetts Legislature, to provide proper sick leave and vacation regulations for the members of the Boston Police Department.

Passed under suspension of the rules.

PLAYGROUND, CORRIGANVILLE SECTION OF HYDE PARK.

Coun. CANTWELL offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of designating as a playground for the Corriganville section of Hyde Park, a portion of the property owned by the City of Boston under tax title, located on Cottage street, and be it further

Ordered, That his Honor the Mayor be requested to consider the purchase of the land known as the Thaw's Field for use as a part of the above-mentioned playground.

The order was passed under suspension of the rules.

SIDEWALKS ON BLAKE STREET, WARD 18.

Coun. CANTWELL offered the following:

Ordered, That his Honor the Mayor be requested to direct the Commissioner of Public Works to install edgestones and granolithic sidewalks along both sides of Blake street, Ward 18.

Passed under suspension of the rules.

NEW FLAG AT BRIGHTON HIGH SCHOOL.

Coun. MADDEN and LANE offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to place a new flag at Brighton High School.

Coun. MADDEN—I don't know whether the same situation prevails in other schools throughout the city, but the flag at Brighton is in a deplorable condition. It looks as though it might well have come from Iwo Jima. It seems particularly out of place in view of the fact that the flag is only a few yards from the Marine Hospital where there are many hundreds of veterans recuperating. I think the least that can be done is to put up a flag that is not all tattered.

The order was passed under suspension of the rules.

CONDOLENCE TO MRS. AGNES C. HICKEY.

Coun. LINEHAN and SCANNELL offered the following:

Resolved, That the Boston City Council, in meeting assembled, hereby extends its sincere sympathy and condolence to Mrs. Agnes C. Hickey, widow of Honorable William P. Hickey, and former member of the Boston Common Council, House of Representatives, and State Senate, who has rendered valuable assistance to the residents of South Boston who greatly admired and respected him and also to the citizenry of the Commonwealth, and whose public service as Traffic Commissioner of the City of Boston for many years has been outstanding; and be it further

Resolved, That a copy of this resolution be forwarded to Mrs. Agnes C. Hickey.

Passed by a unanimous rising vote.

ROPING OFF STREETS, MARCH 17.

Coun. LINEHAN offered the following:

Ordered, That the City Messenger be, and he hereby is, authorized to provide for the roping off of

the streets in South Boston for the parade on Monday, March 17, 1947, the expense of same to be charged to the City Council appropriation for Ropes, Flags and Stakes.

Passed under suspension of the rules.

SIDEWALKS ON CENTRE STREET, WARD 11.

Coun. MORIARTY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install new sidewalks on Centre street, Ward 11, between Cedar and Marcella streets.

Passed under suspension of the rules.

PETITION OF BOSTON WATERWAYS, INC.

Coun. BAYLEY and MUCHNICK offered the following:

Ordered, That the petition of Boston Waterways, Inc., now pending before the Committee on Licenses, be removed from that committee and acted on by the Council.

President KELLY—One moment, councilors. The motion is in order, but before there is any discussion on this motion the Chair will once again read the statement he read at the first of the meeting for the benefit of the Councilors who were not present.

"Statement of the President. The Chair will state that no debate or discussion will be permitted at today's meeting concerning the rumors or charges of irregularities in the city government. The Chair takes official notice that the District Attorney has these matters under scrutiny and investigation, and for that reason the Chair feels that these matters should not be further discussed in this Body until the present investigation has come to a conclusion. Consequently, the Chair now announces he will rule as out of order any attempt either by point of personal privilege or otherwise to discuss any matters concerning prevalent rumors or charges. The Chair is of the opinion under the circumstances this Chamber is not the proper place to debate such matters, which are or may be under scrutiny by responsible legal officials. The Chair hopes the membership will understand the motive for this ruling, and will accept it as made in good faith and with good intentions, and the Chair sincerely hopes he will not be forced to make any rulings on this matter today."

Coun. BAYLEY—Mr. President, the petition of the Boston Waterways was brought before us in September, and was referred to the Committee on Licenses. It was then brought back in December and referred to the Executive Committee which in January referred it back to the Committee on Licenses. It has been there six weeks now, and I think the members of the Body are entitled to have it before them for full and frank discussion of the merits, and inasmuch as the Committee did not report inside the month from the time it was referred, I hope this order may pass so that we may act on this petition one way or the other.

Coun. HURLEY—Mr. President, I am very much opposed to the motion proposed by the councilor from Ward 5 (Councilor Bayley). As you already stated in the statement of the President, this matter is before the District Attorney's office for investigation. If this matter is brought before the Council it might be passed, there is no question at all about that, but I don't think it is the proper thing to do, to come in here today and let us as a Body pass on this and grant a license to Fairbank and let him walk out of the door, the license in his hand, and turn around and thumb his nose and say, "I have mine, boys. Now you people sweat." I plead with the members of this Council today, do not take this from the Committee, it will be a bad thing for us. It is too bad with all of this scandalous talk and writings in the newspapers that we cannot wait a week. Of course, there will be an opinion flung down in about a week. Please, gentlemen, do not let this matter come before the Council today for a vote. I have in mind that if it is brought for vote it would be passed. Of course, I will object. I will vote against it anyway, but do not do it

today. Let this thing stay on the table for a week. It will hurt no one.

Coun. MADDEN—I move the previous question.

President KELLY—No debate, councilors. The previous question has been moved. All those in favor say "aye"; those opposed, "no". The Chair is in doubt. All those in favor of moving the previous question will please rise. Thirteen. All those opposed will please rise. Five.

Coun. COFFEY—I doubt the vote and ask for a roll call.

President KELLY—Councilor Coffey doubts the vote and asks for a roll call, and a sufficient number having joined him, the Clerk will call the roll.

The roll was called, and the motion for the previous question was carried, yeas 13, nays 5:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Hannon, Keenan, Lane, Linehan, Madden, McCormack, Muchnick—13.

Nays—Councilors Coffey, Hurley, Kinsella, Russo, Sullivan—5.

Present—Councilor Kelly—1.

President KELLY—Thirteen in the affirmative and five in the negative, and the motion to move the previous question is passed. The question now is taking it from the Committee, and there is no debate. Those in favor will please say "aye"; those opposed, "no". It is a vote.

Coun. COFFEY—I doubt the vote.

Coun. SULLIVAN—A point of order, Mr. President.

President KELLY—State the point of order, councilor.

Coun. SULLIVAN—The motion was to take it from the Committee?

President KELLY—The question before the Body is to take it from the Committee, and there is no debate on the question.

Coun. SULLIVAN—It is to take it from the Committee?

President KELLY—Yes.

Coun. SULLIVAN—Do we need 12 votes?

President KELLY—And there has been a roll call—

Coun. SULLIVAN—The Chair asked for a voice vote.

President KELLY—The Chair will ask for a rising vote to take it from the Committee. All those in favor, please rise; those opposed. It is a vote.

Coun. COFFEY—I doubt the vote and ask for a roll call.

President KELLY—Councilor Coffey doubts the vote and asks for a roll call and a sufficient number having joined him, the Clerk will call the roll.

The roll was called, and the motion to take from the Committee was carried, yeas 14, nays 5:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Hannon, Keenan, Lane, Linehan, Madden, McCormack, Moriarty, Muchnick—14.

Nays—Councilors Coffey, Hurley, Kinsella, Russo, Sullivan—5.

Present—Councilor Kelly.

President KELLY—Fourteen votes in the affirmative and five in the negative, and the petition is taken from the table.

Coun. COFFEY—I move reconsideration.

President KELLY—No reconsideration, councilor, on account of the motion for the previous question having carried.

Coun. COFFEY—Mr. President, I ask unanimous consent to read a letter I received from Mr. Fairbank.

President KELLY—The question now is on the granting of the license, Councilor Coffey.

Coun. COFFEY—Speaking on the granting of the license: Mr. President, I see your point of view and I sympathize with you, but for the life of me I can't see why we cannot talk about and go into generalities on this thing. I think we should be allowed to for the simple reason that if this is passed today, Mr. Fairbank gets his license and he walks out of the lives of the members of the Boston City Council and leaves a stigma that belongs no place but on the shoulders of the same Mr. Fairbank. Mr. Fairbank, talking on the merits of this petition, has never been fair with the members of this Council. Some six months ago he filed for a petition to run ferry service from the South Station to the East Boston airport and he claims, according to statements I have read in the newspapers in the past few days, that he had no sooner filed the order when he was approached by a councilor—

President KELLY—Wait, councilor. The Chair will not permit debate on any of the charges of irregularities in the city government.

Coun. COFFEY—Mr. President.

President KELLY—Councilor Coffey.

Coun. COFFEY—If this is passed, it goes out of the lives of the members of the Boston City Council. What are we going to do, forget about it? I for one am not, because what am I going to talk on at the next meeting if it is passed today and he is granted the permit?

President KELLY—Councilor.

Coun. COFFEY—I think I am talking on the merits of this now.

President KELLY—Just a minute, councilor. The Chair has made its ruling. He does not want to declare any member out of order. If any councilor disagrees with the Chair, he has the right to appeal the ruling of the Chair.

Coun. COFFEY—Mr. President, what I can't understand is why this man waited six months to go to the District Attorney. If he is the upright, honest citizen the Boston *Herald* claims he is—

President KELLY—Councilor, the Chair will permit any discussion with regard to the merits of the petition, but no discussion—

Coun. COFFEY—Just let me say this, and I don't think I am out of order, if the gentleman had the permit granted last week, he would not have gone to the District Attorney. However, I said he had been unfair since the very beginning, and I reiterate my remarks. I have a letter here from Mr. Fairbank sent to me from the Old South Building, I suppose that is where his office is, and it says, "Dear Mr. Coffey. Immediately after the Licensing Committee hearing on January 31 regarding Boston Waterways, Inc., application to operate a boat service to the Logan Airport, I applied, as I had agreed to, for permission to withdraw the Bill pending before the State Legislature. Quoted below is the text of a letter I have received today from Mrs. Leslie B. Cutler, House Chairman of the Aeronautics Committee of the House of Representatives." And the letter says, "Dear Mr. Fairbank, This is to inform you that the Committee on Aeronautics has reported your bill, House 1259, leave to withdraw at the request of the petitioner. Very truly yours, Leslie B. Cutler." I think everybody within the hearing of my voice knows that Mr. Fairbank was not entirely truthful. At the hearing held January 31, in the Executive Session, Mr. Fairbank made the statement, being properly advised, he went to Freddie Willis, the Speaker of the House of Representatives. Mr. Willis is from Saugus, and he in turn turned him over to Mr. Jordan of Revere who, at Mr. Willis' request, according to Fairbank, filed this bill to take away the powers from the Boston City Council and give them to the Public Utilities, over all waterways going to and from the East Boston Airport. According to this letter, Mr. Fairbank says that he received a letter from Mrs. Cutler saying "The Committee on Aeronautics has reported your bill, House 1259, leave to withdraw at the request of the petitioner." In last Thursday's *Herald-Traveler* I read where Mrs. Leslie B. Cutler issued a statement to a reporter who carried the story in that paper, that House 1259 was never given leave to withdraw, and the proof of the fact is that it is coming up on Wednesday of this week. So Mr. Fairbank was not truthful in this matter, and he can be just as untruthful in every other thing. After waiting six long months, he decides because he is not going to get the petition he is going to holler "Cop." If the petition had gone through or the permit had gone through last week, there would have been nothing said, Mr. Fairbank would have kept quiet, and he would have been a dishonest citizen if he had kept quiet if somebody had approached him, as he said. I say this thing should be kept in committee and should not be passed here today. It is not fair to the members of the Council. Personally, I don't give a damn. I don't care what the hell the newspapers said, I never have—

President KELLY—Councilor.

Coun. COFFEY—I don't think you are very fair yourself, Mr. President, I think we should be allowed to elaborate on this and go into it. The papers have carried the damned thing for the last week. Let us bring it to a head once and for all.

President KELLY—The Chair will make a further statement. Councilor, will you kindly yield while the Chair makes a statement? The Chair regrets to call the attention of the members of the Council to the growing use of unbecoming language during meetings of the City Council.

The Chair itself makes no attempt to excuse himself for permitting this practice to go on except to state that the Chair did not wish to give undue weight to what might be termed slips of the tongue. However, the Chair believes that now the time has come when it is necessary to insist that debate in the City Council conform to the accepted rules of parliamentary law. Therefore, the Chair now states the use of unbecoming language will cause the Chair to declare the member using such language to be out of order, and the member will remain out of order until proper apology is made to the Body. Of course, the Chair will not be too severe in making such a ruling unless it is necessary. Whenever the Chair is convinced that a member is unconsciously or accidentally using offensive or unbecoming language, the Chair will warn the member not to do so again. The repetition of the incident will call for the Chair to declare the member out of order. I will not attempt to define what is unbecoming or offensive language except to state that each member is charged with the duty of choosing between acceptable and unbecoming language. It seems to me obvious to all the use of the word "hell" while not perhaps offensive is certainly unbecoming if used with the frequency with which it has been used in this Body. I shall, therefore, declare out of order any member who persists in the use of this expression. I wish at this time to call the attention of the Body to another rule of parliamentary law, and that is, the reference by members to other members. If a member of the Council wishes to refer to another member, he should do so by referring to him as the gentleman or the councillor from Ward 1, or whatever ward it might be. It is a violation of parliamentary practice to refer to each other by name and it very often causes bitterness of feeling which must be avoided. I, therefore, will insist hereafter that the proper practice be followed. I make this statement not in any sense of criticism of any individual member of the Body but for one reason, and that reason is to assure to this Body the respect it is entitled to. If, however, we ourselves do not act in a respectful manner, we cannot expect others to respect us. I ask the cooperation of all the members during the rest of this year so that we may be able to accomplish the business of the city in a dignified and orderly fashion.

Coun. COFFEY—Mr. President, I use the word "hell" an awful lot, I know that. I practically said "a hell of a lot." If I say it again, you correct me, and I will stop it. I will try to be on my dignity. Mr. President, this is going to be a pretty hard thing to stomach. I can't digest it. I mean, some member might say, "My hands are clean, my skirts are clean, I voted for it." What does that mean for the fellows who did not vote for it? It is a pretty hard thing to digest because there are a lot of us who opposed it right from the very beginning. I have opposed anything going to the airport, not only this. I finally found myself in agreement with William E. Mullins of the Boston Herald who opposed the Sutcliffe limousine, opposed it solidly for four solid months at least one editorial a week. That was to give direct limousine service to the airport. This is only for boats. It is not direct service to the airport because to begin with, they are going to park or tie these boats 400 yards away from the airport terminal. People will have to carry two or three pieces of luggage some 400 yards. There is no service here, in my opinion, and I know the airport better than any man in this room. I know darned right well this thing is not a good service to the Logan Airport, but to believe the Boston Herald-Traveler which has been writing editorials on this for the past six months, it is going to be a fine service to the airport, it is going to be a benefit to the citizens of Boston. They don't bring in the fact that the Sumner tunnel is going to lose \$12,000 to \$20,000. None of the papers is carrying that as an argument of the opposition. They don't bring in the fact that the big operators of taxicabs and hundreds of individuals are opposed to this because they are going to lose money. That argument has not been brought out. It seems this man from Cohasset—and I say Cohasset because there is not a veteran in this room or the City of Boston, even if he holds the Distinguished Service Cross who can go down to Cohasset with the wife and family and go in swimming. He could not do it, he has to be a resident of Cohasset—still, this man can come from Cohasset and through some means or other get a petition through the Boston

City Council, and I doubt if he knew one or two members of that Boston City Council previous to six months ago. He starts right off with editorial after editorial in the Boston Herald and Boston Traveler stating that this is a good thing. Surely, it is a good thing. For whom? For somebody behind Fairbank. This man is not a lost child, this man has very good contacts, very good connections. Who advises him to go to the Legislature? Who advises him to see Freddie Willis, the Speaker of the House? Who made the contact to see Mr. Willis? Who made the contact after he saw Mr. Willis to have Mr. Willis say to him, "Have Representative Jordan of Revere file the bill for you." Who made those contacts? Then, after he writes a letter to the chairman of the committee saying he had applied for permission to withdraw House Bill 1259 which is giving permission to the Department of Public Utilities to take the rights away from the members of the Boston City Council, Mrs. Cutler reportedly wrote a letter to him stating "Your bill has been given leave to withdraw," and then we find out in last Thursday's paper, the Herald-Traveler, a statement that Mrs. Cutler never gave him leave to withdraw, that the bill is still pending for action, and that action is taking place damned soon, that Wednesday of this week that committee is going to act on it. There is something wrong in Denmark, something damned wrong, and I think the thing should be thrashed out here and now. Too many times we have gotten up on the floor and had members of the Council say "A cloak of suspicion is over this," "A cloak of suspicion is over that." For what reason? None of us want to be caught. Naturally, we don't. Nobody wants to be caught, but that statement can draw votes because a person who might be neutral or a person who might be against feels that the easiest way out is to go along and give the man the vote he wants. I have never been scared since the time I have been up here, and I never will. I have plenty of things to talk about today, and I worked all morning to get the things prepared, and I don't think it is fair. I can see the view the President takes and I can appreciate it, but I don't think this should have been brought in today. It is supposed to be under investigation, and as far as I feel, the investigation will turn out to be a fizzle. I don't know how the Assistant District Attorney can take the word of a man who states in a letter above his signature that this bill has been given leave to withdraw, and then we find out last Thursday in the Boston Herald-Traveler that the bill has never been given leave to withdraw. This man has influence, this man has plenty of contacts and the proof of that is that he can get to the Speaker of the House, a man I can't get to, and I served with him, I could not get near him, and especially I could not get him to introduce any legislation to be in my favor, or to have him send me to the majority leader of the House and have him introduce such legislation for me. Not one of them is a Boston man. Fairbank is from Cohasset, little Freddie Willis from Saugus, and Pety Jordan from Revere. Those are the three who introduced that piece of legislation to take all the powers away from the members of the Boston City Council and given them to the Department of Public Utilities, because if he has gone so far with Mullins of the Herald, Jordan and Willis of the House, then he certainly has contacts up there where he knows that the Department of Public Utilities, if they get this power, will give him exclusive rights to the airport. And that is what that man wants. He is not going to make money on passengers. That is out of the window. He has a contract with the wool merchants down on Summer street to bring merchandise to the East Boston airport. That is the real purpose behind this. He never brought that out in any of the committee hearings. He has never had a word to say about that. All he talked about was passengers. It never was brought out in the papers that the Public Works Commissioner opposed this, and he did oppose it. It was never brought out until Danny Sullivan brought out the fact that a lot of revenue was going to be lost through the Sumner tunnel. He does not care about that, he pays taxes in Cohasset. He did not say anything about the 150 young G I's from World War II who got medallions to drive cabs, and there are other veterans driving cabs, but he did not talk about such loss of money, and the truth is that 250 or 300 cabs use that tunnel every day, and it is safe to say on Friday and Sunday, the two busy days at the airport, 800 or 900 cabs go through

the tunnel and back. None of that has been brought out. He does not care about who loses their job and who loses money in the City of Boston. All he wants to take care of is little Mr. Fairbank, and he has done a darned good job of taking care of Mr. Fairbank. Mr. President, I think we ought to be able to elaborate on that. We ought to bring this right out in the open. They wrote an editorial about me, saying I will take a buck —

President KELLY—Councillor!

Coun. COFFEY—Wasn't it with regard to this?

President KELLY—Councillor, the Chair has made a ruling that the only thing under discussion is the merits of this petition.

Coun. COFFEY—Mr. President,

President KELLY—Councillor Coffey.

Coun. COFFEY—Doesn't that come under the petition, the editorial in last Tuesday's *Herald*?

President KELLY—The Chair has made its ruling, councillor. The question before this Body is on the granting of this license, Councillor Coffey.

Coun. COFFEY—At that meeting didn't I say I would take a buck, but I did not say I would take an illegitimate buck.

President KELLY—Councillor, the question before us is on the granting of this petition. If you insist on talking otherwise, the Chair will be forced to rule you out of order, Councillor Coffey.

Coun. COFFEY—Mr. President, the way the vote went today, what is the sense of talking on this thing? I think most of the councillors would rather forget about it. I don't want to forget it, and I don't intend to forget it. I think a rotten deal has been pulled off here and, by the way, Mr. President, how many times have I said I will take a buck on this floor? At least a dozen times, and nothing has been said in the papers before.

President KELLY pounded the gavel.

Coun. COFFEY—It has only come out here —

President KELLY—The Chair regrets to state that the councillor is out of order.

Coun. LINEHAN—Mr. President.

Coun. RUSSO—Mr. President.

Coun. KINSELLA—Mr. President.

President KELLY—Councillor Linehan has the floor.

Coun. LINEHAN—Do I understand the gentleman from East Boston is out of order?

President KELLY—Councillor Linehan has the floor.

Coun. LINEHAN—Mr. President, I think all the members of the City Council are well aware of the pros and cons on this particular measure. As far as I am concerned, I think those who voted against this measure have as much right to vote against it as those of us who are voting for it. Probably I am going to sound like one who votes against it when as a matter of fact I am voting for it. If I thought there was one Boston resident who would go in this particular business instead of the gentleman petitioning, I would not grant this particular gentleman who is seeking the license my vote, I would give it to that gentleman who came from Boston. I agree with the gentleman from East Boston and the gentleman from Roxbury that in all probability some taxi driver will lose some fares, and I further say that if a delegation of taxi drivers from my district, or at least a dozen young veterans, came to me and said it would hurt their business, the chances are I might vote against this measure. When the gentleman from East Boston says to bring out in the open whatever matter pertains to the issuing of the license, yes, it should be brought out in the open, and I hope I am trying to do it in an unbiased way. I think I am doing it when I take the objections of those opposed to it; first, that Boston residents will lose jobs from this, and if it could be proven to me, I think I would vote against it, but up to now, I have not had any delegation of taxi drivers come to me at my home or at the City Council or at my office and say they are against it. I have waited for them to come, but they have not come to this day. I agree with the gentleman from Roxbury who got up and said the City of Boston would lose some revenue as the result of the loss of tolls in the Summer tunnel, and I suppose if he could prove to me we might lose \$30,000 or \$50,000, I might vote against the license, but it has not been proved to my satisfaction that is so. There is a question of something like \$10,000 or \$12,000 loss, but I am voting for it though that may be true, we might lose \$10,000 or \$12,000 revenue. So it is a question of this being against, I suppose, the loss of revenue for the city which will not be

made up by the small license fee we will charge the petitioner if he is granted the license. There is also the desire of some other gentlemen who oppose this, not to grant it to a nonresident of Boston, and, frankly, I almost find myself in sympathy. If I had heard of a Boston resident coming in about the same time as the gentleman from Cohasset, I would vote in preference for the gentleman from Boston, but so far I have not been requested to vote for any license to anybody from Boston on this particular venture. Now, I hope I have covered, you might say, the objections of those who are against the granting of this license and, mind you, gentlemen, I realize their arguments are valid ones, they are good ones. The gentleman from East Boston, the gentleman from Roxbury, and others who have opposed this certainly have all the right in the world to oppose it on those grounds, and they could use any parliamentary tactics they cared to so long as they are in order, so that this matter won't come to a vote, if they thought the vote would be successful, to stop the granting of this license to somebody they did not want to see it granted to, for the reasons I have outlined already. I think if I was in favor of their chain of thought, I would go along and do the same thing. You might wonder why am I voting for the granting of this license? I have weighed the arguments of those against the granting of the license with the facts, realizing fully the arguments they have advanced and which I have outlined. The big problem before us is, will this benefit the city as a whole, regardless of loss of revenue, regardless of the probable loss of some fares to the taxi drivers? I have made up my mind it is probably for the best interests of the taxpayers of Boston and, incidentally, they could say not only the taxpayers of Boston will use this but people outside of Boston will be coming into the South Station to go to the airport and they will use this much more than the Boston residents whom we represent. I agree with the gentleman from East Boston when he gets up here and shouts about the people outside of Boston getting the benefit and not the people from Boston, because only a short while ago the president of the Senate, as you well remember reading, was quoted as saying, "Why should the people from Wareham vote for anything which will help Boston when it won't benefit the people in Wareham?" That is quite an argument for the gentleman to use down in Wareham, and isn't it just as good for the gentlemen from East Boston and Roxbury and Charlestown to use it here against the people outside of Boston? I think it is just as good. I have been up in the Legislature for four years and I begged and beseeched the members of the Legislature to give Boston some help and, incidentally, there are about 40 or 45 representing the City of Boston as Representatives and about four or five Senators in the Senate representing Boston, and almost invariably, any time we ask the Legislature to vote for anything to benefit Boston, the members outside of Boston just laugh at you. That is the true situation existing at Beacon Hill. I can well remember when we voted for the off-street parking which is somewhat similar to this, I voted against off-street parking even though big business came here and advocated the passage of such legislation. I gave thought as to why I should not vote for it. When his Honor the Mayor said he was for building three- or four-decker parking areas, that overcame my valid objection, and I voted for the off-street parking. But to be honest with you, like this particular measure, the off-street parking had for its advocates people actually not living in Boston. They in almost every instance represented business. I am influenced by that to some extent due to the fact that I did not have any residents of Boston other than one gentleman representing the taxi owners actually get up and oppose the granting of this petition. I don't know whether I have outlined the pros and cons sufficiently in this particular measure before us, but I think I have. If I have not, I think it is probably within the rules for any other councillor to get up and outline any other he thinks apropos. I sincerely hope when we vote on this matter, we do it on the merits of the situation, not on what has happened outside of the City Council. I say those who vote against it might be in the right more than those who vote for it. I don't know. Time will tell. If we have this so-called water taxi service and if we have a terrific accident on the water, then I am one councillor who will feel

as though I passed a bad vote if sometime in the future we get a catastrophe. Those are the things we who vote for it are taking a chance on, that something like that might happen, and then I for one will be sorry I ever voted for the granting of the license. But, considering the fact that we are insisting the licensee, if he is going to be a licensee, put up enough insurance to cover those who use the service, we should not consider any future catastrophes which might happen too seriously. I thought we overcame the objection raised on the approach down at Congress street. For these reasons I voted in favor of the passage of this order, and for these reasons I am going to vote again for the passage of the order, and I hope everybody votes for it or against it as their conscience dictates because both sides have good arguments to vote either way.

President KELLY—The question is on the granting of the license. Councilor Russo.

Coun. RUSSO—Mr. President, I would like to state first that at the last meeting I made the statement when I asked the Council not to take action on taking it from the committee until this week that I promised then that I would give my vote to take it from the committee. However, I would like to make a statement that the reason why I voted against taking it from the committee at this time was due to the fact that I believe where this matter is now in the hands of the District Attorney no action should be taken at this time. I feel we should take action after this thing is brought to a head and either all the councilors exonerated or let the individuals who have made direct accusations or indirect accusations apologize to the Body. That is the reason why I voted against taking it from the committee. It seems to me, Mr. President, we have come to a point that when we vote for a certain measure you either have to be for it from the beginning or you have to be opposed to it from the beginning. I would like to ask anyone here in the Chamber or any public officeholder regardless of whether he is serving the Federal, state, city or town government whether or not at one time or another you might have taken a view for a measure and then through information received you formed a different opinion from the one you had at the start. I wonder if that is not the case with anyone, any public officeholder or anyone in business or anyone in private life. I merely state that, as the councilor from Ward 1 has so well stated, individuals who are opposed to it have said I have been opposed to it from the beginning and those in favor have claimed they have been in favor from the beginning. I don't take any stock in so far as that is concerned because I take the stand no man is infallible. We may be right, regardless of what our vote may be. As far as my conscience is concerned, if I believe I am doing the right thing, I will vote against it. This has been brought out due to the fact of what took place last week. At the closing of the meeting, Mr. President, the reason why I asked the councilor from Ward 14 to remain in the Chamber when he made the statement in so far as rumors are concerned —

President KELLY—No, Councilor Russo. The question before us is on the granting of the license. Talking on the merits of the license.

Coun. RUSSO—Mr. President, I don't know why the gentleman from Ward 14 left the Chamber, neither do I know the reasons why he left the Chamber the previous time that an attempt was made to take it from committee.

Coun. LINEHAN—Mr. President.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Russo.

Coun. LINEHAN—A point of order, Mr. President.

President KELLY—The Chair is going to make a ruling.

Coun. RUSSO—Mr. President.

President KELLY—Councilor Russo, please. The question before us is on the granting of the license, and I am going to ask you to confine your remarks to the granting of the license. I don't want to rule you out of order. Councilor Russo.

Coun. RUSSO—Mr. President, do you take away the right from me to quote what the record says? I believe that the record shows that on these two particular instances the councilor from Ward 14 was absent from the Chamber.

President KELLY—Councilor, the Chair has ruled at the outset of the meeting that no discussion will be permitted at today's meeting

concerning the rumors or charges of irregularities in the city government. The Chair has made that ruling.

Coun. RUSSO—In so far as I know, at the present time I have not heard of any charges. I don't know what the charges are. It is merely rumors that I know of, I have not and don't know in so far as direct charges are concerned —

President KELLY—Councilor Russo, the Chair will repeat the first paragraph of the statement. The Chair will state that no debate or discussion will be permitted at today's meeting concerning the rumors or charges of irregularities in the city government.

Coun. RUSSO—Mr. President, I understand very thoroughly your intent. However, I feel that I have never tried to impugn the motives of any councilor; at least I tried in the past seven and a half years I have been in the Council. However, I feel we owe it to ourselves not to take any action on this particular petition at this time because I believe that while there are investigations going on, we should hold this license until such time as the rumors so called — until such time, Mr. President, as I said before, that the District Attorney's office makes its ruling. I believe by passing on it today there may be, and I emphasize that, there may be councilors who might vote for it on account of the stigma placed upon this petition. In fairness to the individuals who honestly and sincerely oppose this petition, I believe that the Council should not take any action at this time. I believe that after the ruling of the District Attorney then we should take such action as we see fit, but until such time, I say to you gentlemen, do not pass this petition. I say it because I for one have not been convinced that this will benefit the airport in East Boston. I believe, and firmly so, this license is merely for excursion purposes from South Boston to East Boston. It may be, as the councilor from Ward 1 has stated, that it is to take merchandise from the South Station to the airport. That is possible. I don't believe it is only for the purpose, as the petitioner has stated, that it is merely to take and transport individuals in order to eliminate traffic in the City of Boston and to give service to the people who want to go to the airport. We have heard from presidents of various taxicab companies and they have opposed it. We have had some individuals that have opposed it. Do you believe, Mr. President, these gentlemen would oppose a petition if the majority of those taxicab drivers were not opposed to it? If you say "yes," I don't condemn you, but if I say "no," don't condemn me. I have stated time and time again that I believe it is unfortunate when any one of the councilors or any one in any particular body will come into a body and say there are rumors of this and rumors of that.

President KELLY—Councilor, I will give you a final warning. If you do not talk on the granting of the license, I regret I will have to rule you out of order.

Coun. RUSSO—Mr. President, I don't know how much more convincing I could speak, but I trust that the Council does not take any action on this petition at this particular time. The councilor from Ward 1 stated here on the floor — and if I am not right, I wish the councilor from Ward 1 would correct me — that some veteran or veterans living in the City of Boston would like to have a license for a waterways. I don't know, but if this is so, there are all angles to it. The councilor from Ward 9 has brought out the loss of revenue through the Summer Tunnel. Still, I don't condemn any councilor who votes for it if he feels that it is giving service to the people of the City of Boston. It might be a good investment to lose \$12,000 or \$20,000 a year to give the service. We do that with the Boston Elevated but in the same tone, neither do I want the councilors to condemn the others because they have taken the opposite view. I sincerely hope, Mr. President, due to the fact of what I have stated and due to the fact that this is pending now for a clearing up by the District Attorney, this Council will not grant this permit.

President KELLY—The question comes on the granting of the license, and the clerk will read the proposed license.

The license was read by the clerk as follows:
Ordered, That license be issued to the Boston Waterways, Inc., to operate a ferry service for hire across Boston Harbor between a terminus in Boston proper at the intersection of Congress

street and Fort Point Channel and a terminus in East Boston opposite the Logan Airport at a point on the shore on or adjacent to the lines of Maverick street projected approximately 500 to 550 feet southeast of Jeffries street, and that such license is issued under the following terms and conditions:

That licensee shall operate said ferry in accordance with the provisions of the General Laws of the Commonwealth with relation thereto.

That licensee shall furnish and properly maintain in good repair at all times when it shall be in operation, safe, sufficient and appropriate equipment for the accommodation of the public, including life preservers, riding and running lights, and all other safety devices, appliances and fixtures or appurtenances which by law may be required, including adequate shelter for patrons at each terminus.

That licensee will provide, subject to emergencies and extraordinary weather, regular passenger service at half hour periods, or more frequently, between 8 a. m. and 8 p. m. and such additional trips as may be necessary or desirable.

That licensee will charge no more than thirty-five cents per ride, per person, each way; and may provide a 60-trip non-transferable monthly commutation ticket for \$8.80. No charge will be made for children under two years of age when accompanied by an adult.

That licensee will permit all equipment and accessories to be examined or inspected at any time by the County Commissioners or such persons as may be designated by said Commissioners, for the purpose of ascertaining if said licensee is operating the ferry service in compliance with law and this license.

That licensee will provide, as required in chapter 88 of the General Laws, a bond to the Treasurer of the City of Boston in the penal sum of \$5,000 with sufficient sureties for the faithful performance of the duties of said licensee.

That the licensee will not operate said ferry service until the licensee, in addition to complying with the provisions of chapter 88 of the General Laws, and the terms of this license, shall have deposited with the City Auditor a bond, or policy or certificate of insurance, with limits of \$10,000 per passenger and \$210,000 per accident, satisfactory in form to the Corporation Counsel and approved by the City Auditor, conditioned on or otherwise securing the payment of any final judgment obtained against the licensee for any injury to person or property or for damages for causing the death of any person by reason of any negligent or unlawful act, on the part of the licensee, his or its agents or employees, in the use or operation of said ferry. If any such bond or insurance policy shall be cancelled or a renewal policy, certificate, or bond, is not filed prior to the expiration thereof, or if the Mayor and City Council in their capacity as County Commissioners at any time after notice and hearing shall determine and notify the licensee that such bond or policy is not sufficient, said ferry shall not thereafter be operated until the licensee has furnished other or additional security approved by the Mayor and City Council in their capacity as County Commissioners. In addition to any other rights of enforcement, the rights of any person so injured or damaged shall, so far as appropriate, be enforceable in the manner as set forth in section 6, chapter 159A of the General Laws, relating to common carriers.

That licensee will comply with such other reasonable regulations as may, from time to time, be established.

That licensee will begin operation of said ferry service within one year from date of approval of this license. Otherwise said license shall be void.

That licensee will pay to the City Clerk who shall issue the license as herein set forth, a fee of ten dollars for each boat, regular or spare, used or operated in the ferry service.

President KELLY—The question is on the granting of the license on the petition read by the clerk.

Coun. MADDEN—Mr. President.

President KELLY—Councillor Madden.

Coun. MADDEN—I move the previous question.

Coun. COOK—Mr. President, a point of information.

Coun. MADDEN—I moved the previous question.

President KELLY—There is no debate.

Coun. COFFEY—A point of order.

Coun. KINSELLA—Mr. President

President KELLY—There is no debate.

Coun. KINSELLA—I am not trying to debate. I want to raise a point of information, Mr. President.

President KELLY—Councillor Madden has moved the previous question, councillor, and there is no point of order or point of information or point of personal privilege.

Coun. LINEHAN—That is not the way the order was based some time ago, Mr. President. We had the opening of a bridge in the order. I wish the gentleman from Brighton would withdraw his previous motion.

President KELLY—Does the gentleman from Brighton withdraw his motion?

Coun. MADDEN—All right.

President KELLY—Councillor Kinsella.

Coun. KINSELLA—Who drew this in the form in which it was read to us?

President KELLY—The City Clerk, councillor.

Coun. KINSELLA—A further point of information.

President KELLY—Will you state your point of information?

Coun. KINSELLA—That is the finished document as a result of the various amendments from time to time?

President KELLY—I am informed that is the composed license as agreed in Executive Committee a while ago, councillor.

Coun. KINSELLA—A further point of information.

President KELLY—Will you state your further point of information?

Coun. KINSELLA—I would like to ask the clerk through you, Mr. President, if all the terms in that license fundamentally are the same terms applied to the old regular established ferry service across Boston Harbor.

President KELLY—I understand that the old ferry service across Boston Harbor was an independent service granted by the Legislature, councillor.

Coun. KINSELLA—Mr. President, a further point of information.

President KELLY—The Chair will make this ruling: if there are any further amendments or terms or conditions, they can be voted on at this time and inserted in the license.

Coun. KINSELLA—A further point of information, Mr. President.

President KELLY—Councillor Kinsella, will you state your further point of information?

Coun. KINSELLA—Mr. President, I must state this first before I ask the point of information. One of the terms in that license is that the gentleman in addition to charging 35 cents per person each way is also contemplating setting up the sale of commutation tickets at \$8.80 a month. He said 60 tickets?

President KELLY—That is right, councillor.

Coun. KINSELLA—That is right?

President KELLY—I will read the first paragraph.

Coun. KINSELLA—That particular line, will you?

President KELLY—(Reading) "The licensee will charge no more than 35 cents per ride per person each way, and may provide 60-trip non-transferable commutation tickets for \$8.80."

Coun. KINSELLA—Mr. President, may I now have the floor to speak on the granting of the license?

President KELLY—Councillor Kinsella has the floor.

Coun. KINSELLA—Mr. President, as one who has consistently voted against the granting of this license, I would like to say with all respect to any one of those who support the petitioner that my objections even though provincial are well founded. I can't imagine anybody going from Boston to Cohasset and receiving such generous treatment at the hands of the Cohasset town fathers, and that is a good objection, that is an excellent objection along with the others that have been raised. I don't understand, Mr. President, why the petitioner will take from soiled hands a petition into his own hands. How in good taste can he take a license from us today? How can he take a license from the Boston City Council today? There are more than 22 men involved, there are 23, and the involvement is something that has not yet been determined in any degree. The involvement goes beyond 22 Boston City Councilors if there is any involvement. And I call upon the

good judgment and the good taste and the personal integrity of this man here, and not one of us is beholden to anyone in Cohasset for what we have in Boston, to stand up and reverse himself and put this petition back in the status it occupied at the outset of this meeting today at two o'clock. And I say that admittedly as one who has opposed this petition from the start. Now, Mr. President, I asked a series of points of order all leading up to the last one I voice, the sale of commutation tickets. I was always led to believe that the Boston Waterways, Inc., intended to run a service across the harbor for those people who had to make airplane connections quickly, yet by the sale of commutation tickets it puts this thing into an entirely different category. The assumption now is that somebody who buys a commutation ticket could or may have 60 rides going across the harbor, taking a trip to Chicago and coming back and using the water taxi to take him back across the harbor, all in the space of a day. As a matter of fact, it puts the gentleman in direct competition with the taxi services of this city across the harbor for 35 cents a trip, or 60 rides a month for \$8.80. In all fairness, will the most rabid, enthusiastic sponsor please as a man get up and tell me that up to today he heard any talk of commutation tickets? That is the big item with me, because I don't remember it being mentioned before. I thought the wool and leather merchants in the neighborhood of Dewey square were going to be the principal beneficiaries by virtue of saving an overland trip through the tunnel and into East Boston airport, when they can go across the hypotenuse. Now, we find out the intent of the licensee is that arbitrarily he may or may not sell commutation tickets at 60 rides for \$8.80, a little better than 14 cents at the rate of 60 rides for \$8.80. The straightaway fare is 35 cents and 35 cents hack unless you buy a commutation ticket, and what man uses an airplane twice a day to take advantage of the cut rate on a 30-day ticket? That is another one of the little suiterfuges sneaked in here. Last summer, if it will do you any good to know, gentlemen, I used to avail myself of one of the few pleasures I have, taking my little kids out on the road on blazing hot days, and on one occasion I stopped at a near-by city from which this gentleman does not come, and lo and behold, on the bathhouse was a sign, "Non-Residents of such a city pay 25 cents locker privilege." We were at Cohasset on another one of our peregrinations, and saw a sign, "Admission to this beach only to residents of Cohasset," and God in heaven knows they did not put the beach there, nor wash the shores of the beach with the ocean. We are holding up because we run to the defense of somebody out of Boston. Out of 75,000 veterans some one must be able to take this venture either alone or on credit. Now, we have the happy spectacle of 500 people, citizens of Boston, looking down on you and observing you being whipped into doing something you perhaps would rather not do, hackjacked right into it. I was told to stay out of this debate, and perhaps I should have, but I am in it now with both feet, and all I have to offer is a logical presentation of the type of opposition in which you put yourself. You heard the councilor from Ward 7 state that the opponents had what he was ready to concede might be valid objections. I had one type which I admitted at the outset was a provincial attitude to take, but the councilor from Ward 9 had another, and the councilor from Ward 8 had another, and the councilor from Ward 3 had another, and they were sufficient enough to stand up in the face of dark clouds, dark clouds whose presence, if there is any justice in this, whose presence was contrihuted by 23 men, not 22; not 22 men. Get that firmly into your heads, not 22 men, 23 men. In the name of pity, get your hacks up. How are you —

Coun. LINEHAN—Mr. President.

President KELLY—For what purpose does the gentleman rise?

Coun. LINEHAN—To raise a point of order, Mr. President.

President KELLY—Will you state your point of order, Councilor Linehan?

Coun. LINEHAN—I don't think there should be any statements such as "Get your hacks up," or anything to that effect.

President KELLY—The point of order is well taken. Councilor Kinsella.

Coun. KINSELLA—It is all right when others say, it is all right for somebody to get up and say, "Why don't you go along on this?" which is a more

moderate way of saying, "Get your backs up. Come with me, I am all right." That is all that it amounts to. I would like it thoroughly understood. Mr. President, that one of the cleverest phrases I have heard made up by the councilor from Ward 1 when he said, "This man walks out of your life," absolutely free and clear, and possessed of a right to do business, a right given to him by a hody under a cloud. How can you do it? How can he take it? How can he take such a permission today from us? Or am I talking to the desert air? Am I talking to some preconceived notions of what we individually owe ourselves and the fair name of Boston? I am only talking to the logic of which every man here is capable, or does everything end today upon the giving of the license? Does everything end today upon the giving of the license? No, it does not end, and doesn't that mean anything to you? But how true it is that individually we may stand alone but if we fall, we will fall together. We can stand alone all right, but when we start to fall, we will fall together. That is all I care to say, but probably now I will regret that I opened my mouth. I know what these things here today are costing me. Don't worry, it isn't anything I can't talk about. I can tell you the personal cost to me for not keeping my mouth shut as I was ordered to do, but what happens to me is of absolutely no moment unless the 21 of you are willing to relegate yourselves second place to me, and I did not ask any one of the 21 of you to do it. I don't think I am a hit better than any one of you or the whole Body as such, but there is a matter of principle here to be sustained. Or do you believe now one cheek has been slapped you want the other to be laid open? I don't, and I don't care whether you do or not, but you owe it to your individual selves in this particular instance, if no other, not to return good for evil, and a big evil has been done. If he gets it, my final shot is this, I hope he makes a million dollars and is happy every moment. That perhaps he is entitled to.

President KELLY—The question is on the granting of the license.

Coun. LINEHAN—Mr. President.

Coun. COFFEY—I have an amendment to offer.

Coun. SULLIVAN—Mr. President.

President KELLY—Councilor Sullivan, not having spoken.

Coun. SULLIVAN—Mr. President, after you made your ruling today, I did not think any attempt would be made to take this particular item from the committee now when it is presently being investigated by the District Attorney's office. Your ruling to let it go so far as to be taken from the committee was very unfair to the men who have been fighting this petition right from the beginning. One week ago today the words were uttered in this Chamber that this was being held up pending a "pay-off."

President KELLY—Councilor Sullivan.

Coun. SULLIVAN—That is talking on what is on the record, Mr. President.

President KELLY—Councilor Sullivan, the Chair made a statement at the start of the meeting, and all other members are trying to live up to the statement of the Chair. I trust that you will, Councilor Sullivan.

Coun. SULLIVAN—Mr. President, in your ruling—as I stated, it was a very good ruling—but it is very unfair to the members opposed to this particular water taxi service. How can we when the statement was made, and it was made by this man who voted against it and nobody else? Can you stand there, Mr. President, and rule me out of order when a member of this Body here made that accusation, and just like that hit-and-run driver on the road, left the Chamber? Mr. President—

President KELLY—One moment, councilor. The Chair will rule this matter is under investigation by the District Attorney, and that is why I made the statement I made at the outset of the meeting.

Coun. SULLIVAN—Mr. President, you should not have entertained the motion, especially from the two gentlemen who made the motion to take it from the committee. You should have gone whole hog or nothing. There are 22 members involved, not one or two. There are 22.

President KELLY—Wait a minute, councilor. The Chair will state he only ruled on debate and discussion which had to do with the irregularities. He did not rule on any vote.

Coun. SULLIVAN—The motion had to do with the irregularity of one member on his statement of one week ago today, which is in the minutes of our meeting.

President KELLY—Councillor Sullivan, the Chair wants to be fair with every member. He must insist every member talk on the merits of the granting of the license.

Coun. SULLIVAN—In all fairness I will try to keep it within that ruling.

President KELLY—One minute. Councillor Madden, for what purpose does the gentleman rise?

Coun. MADDEN—A point of order.

President KELLY—Will you state your point of order?

Coun. MADDEN—A very few minutes ago I moved the previous question, and I withdrew that for a specific purpose, and extended the courtesy of the floor to Councillor Kinsella. I again renew that motion.

President KELLY—Councillor, the Chair regrets that he cannot accept that motion at this time unless Councillor Sullivan will relinquish the floor to you. Councillor Sullivan, will you relinquish the floor to Councillor Madden?

Coun. SULLIVAN—Am I foolish, Mr. President?

President KELLY—Councillor Sullivan.

Coun. SULLIVAN—The gentleman from Ward 2 should know enough not to ask or even put the motion in.

Coun. MADDEN—Mr. President.

Coun. SULLIVAN—Ward 22.

Coun. BAYLEY—A point of order.

President KELLY—For what purpose does the gentleman rise?

Coun. BAYLEY—A point of order, Mr. President.

President KELLY—Will you state your point of order?

Coun. BAYLEY—I understood the distinguished councillor from Ward 22 moved the previous question and when Councillor Kinsella asked to take the floor, he yielded to Councillor Kinsella. When the councillor from Ward 2 finished speaking, then the motion to move the previous question was in order. He yielded the floor for a specific purpose.

President KELLY—Coun. Madden's motion to move the previous question is not in order at this time unless Councillor Sullivan will relinquish the floor.

Coun. MADDEN—I question the ruling of the Chair, Mr. President.

President KELLY—Councillor Madden questions the ruling of the Chair.

Coun. BAYLEY—I second it.

President KELLY—Councillor Madden appeals from the decision of the Chair.

Coun. COFFEY—Mr. President —

Coun. BAYLEY—I second the appeal.

President KELLY—There is no discussion.

Coun. COFFEY—A point of order.

President KELLY—No point of order. Who seconds the appeal?

Coun. BAYLEY—I second the appeal.

President KELLY—Councillor Madden appeals the decision of the Chair, which is seconded by Councillor Bayley.

Coun. COFFEY—Let us go back on the record.

President KELLY—The question is, shall the Chair be sustained in his ruling?

Coun. RUSSO—Mr. President.

President KELLY—Shall the Chair be sustained in his ruling? Those in favor will please rise, showing the Chair is sustained in his ruling.

Coun. LINEHAN—Mr. President, a point of information. What was the ruling? I was out of the Chamber.

President KELLY—Wait a minute. The Chair ruled Councillor Madden did not have the floor to make a motion to move the previous question. Those in favor please rise. Those opposed, please rise. Fourteen to three, and the Chair is sustained. Councillor Sullivan still has the floor.

Coun. SULLIVAN—Mr. President, I will try to stay within your ruling of this afternoon.

President KELLY—Councillor Sullivan.

Coun. SULLIVAN—Nevertheless, the remarks were made, and the gentleman who made them last week left the Chamber, thereby not giving the proponents of this measure the vote to take it from the committee. They have had sufficient votes ever since this came into the Body to pass it any time they saw fit. The same gentleman,

Mr. President, back on January 20, six weeks ago, was in Executive Committee, and that was the day I doubted the quorum here on the floor, but had the same gentleman stayed here, Mr. President, that could have passed January 20 and any Monday since then if all those who were in favor of it were present at one and the same time when the roll call was taken.

Coun. MUCHNICK—Mr. President.

President KELLY—Councillor Muchnick, for what purpose does the gentleman rise?

Coun. MUCHNICK—A point of order, Mr. President.

President KELLY—Will you state your point of order?

Coun. MUCHNICK—It seems to me the gentleman is not talking on the merits of the particular license. It is my understanding that is what we are limited to.

President KELLY—The Chair will rule the gentleman from Ward 9 has not yet violated the ruling of the Chair, but he trusts that he will lead up to the discussion on the merits. Councillor Sullivan.

Coun. SULLIVAN—Mr. President, I am going to go around that ruling the same way they do. They have had the votes here, Mr. President, there is no question of that, and no member has taken the floor to say they never had enough votes, but when the statement was made it was made against five or six who have opposed this thing right from the beginning, I being one of them, and you are trying to shut me off today without any explanation whatsoever. A man in the legal profession should know this, he should know this should not be acted upon today while it is under investigation by the District Attorney's office. The councillor from Ward 2 stated there are not 22 involved, there are 23. Don't forget Mr. Fairbank, and if you gentlemen pass this here today, you have the votes, you can lay it on the table until this thing is cleared up one way or another, and gentlemen, if you pass this this afternoon and the so-called councillor who is named—

President KELLY—Councillor, councillor.

Coun. LINEHAN—Mr. President.

President KELLY—Councillor Sullivan.

Coun. LINEHAN—A point of order, Mr. President.

President KELLY—Councillor Linehan, state your point of order.

Coun. LINEHAN—Mr. President, the point of order is I don't see why you should keep warning the member not to go into any charges or so-called rumors of charges against any member of the Council or the Council. I rule all such matters be stricken from the record, if I can make such a motion.

President KELLY—The motion is out of order at the present time, councillor. The Chair is going to warn Councillor Sullivan once more that if he does not live up to the matter under discussion, he regrets he will have to rule him out of order. Councillor Sullivan.

Coun. MADDEN—Mr. President.

President KELLY—Councillor Madden, for what purpose does the gentleman rise?

Coun. MADDEN—A point of order.

President KELLY—Will you state your point of order?

Coun. MADDEN—On this order previously read by the President, don't you think it should be clarified, whether those who violate your order have three strikes and warned four times and take a walk?

President KELLY—I think the Chair will make the correct ruling. Councillor Sullivan.

Coun. SULLIVAN—Mr. President, my reasons for opposing this are the same as the other members who have joined me in opposing this. They give sound, logical reasons why this permit should not be granted. Those who favor it have given as their reasons that it is a good thing for the city. Is it a good thing for the city or is it a good thing for those people who live outside of the City of Boston? I am sick and tired of hearing "Let's build up Boston." Everything is being done for people outside the City of Boston but I say, let us take care of Boston first, last and always, and if there is anything left over, take care of those outside the City of Boston. This water taxi service is definitely going to affect the income of the Summer tunnel, it is going to affect the cab drivers who live and operate here in the City of Boston. Gentlemen, further proof about the cab drivers is here in

an ad in this morning's *Post*, "Taxicab rates slashed 45 to 50 per cent." Just what I have been saying right along. Are we going to make their lot any tougher? There are veterans, 156 veterans who within the last two years obtained taxicabs through an act of the Legislature increasing the number of medallions or taxicabs which could operate here in the city, and only those who were veterans could receive those medallions. They are 156 in number plus the number that they employ to drive those cabs to keep them going 16 and 24 hours a day. Isn't that sufficient reason why this should not be passed? Let us go back to the Sumner tunnel. From 1934 to 1945 the Sumner tunnel faced a deficit of over \$3,000,000 and of that figure from 1940 to 1945 there was \$600,000 given to the city by the state to help offset the deficit, but even with that \$600,000 the City of Boston faced a net loss from 1934 to 1945 amounting to 2½ million dollars which the taxicabs of Boston helped pay off on the deficit of that tunnel. The gentleman seeking this license has stated that in order to make the thing pay he will have to carry 300 passengers a day. I was very conservative in only taking one third of that figure of 300 and that he would stop 100 cabs a day from using the Sumner tunnel, and when the cab goes through he must return, whether he returns empty or with a load. Each one of these cabs represents 40 cents, and 100 times 40 cents is \$40 a day, and 300 operating days a year is \$12,000 a year. Mr. President, the proponents of this thing, with all those objections against it have offered nothing, they have shown no need for this service. The only thing is that it is going to hurt, hurt the Boston traffic tunnel and also the Boston cab drivers. I move, Mr. President, where this thing is now under investigation that this order ought to be laid on the table.

Coun. CHASE—Mr. President.

President KELLY—Councillor Sullivan moves that this matter be laid on the table. There is no debate. All those in favor say, "aye," those opposed, "no." It is not a vote.

Coun. SULLIVAN—I doubt the vote and ask for a roll call.

President KELLY—Two members having joined, the clerk will call the roll.

Coun. BAYLEY—Will you ring the bell?

President KELLY—Yes.

The clerk called the roll, and the motion to lay on the table was defeated, yeas 6, nays 13:

Yeas—Councillors Coffey, Hurley, Kinsella, Moriarty, Russo, Sullivan—6.

Nays—Councillors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Hannon, Keenan, Lane, Linehan, Madden, McCormack, Muchnick—13.

Present—Councillor Kelly.

President KELLY—Six votes in the affirmative and thirteen in the negative, and the motion is lost.

Coun. COFFEY—Mr. President.

President KELLY—Councillor Coffey, just a moment. Councillor Hannon, not having spoken.

Coun. HANNON—I will yield.

President KELLY—Councillor Coffey.

Coun. COFFEY—Mr. President, this amendment was drawn by the Law Department. (Reading.)

"As a condition of this license and in accepting it, the licensee agrees that if any person operating any vessel belonging to it or on its behalf shall exercise the right to request the opening of Northern avenue bridge (s) and such bridge (or bridges) are then opened upon such request, such action by the licensee shall be deemed sufficient cause for the revocation of this license by the Mayor and City Council, acting as the County Commissioners of Suffolk county."

President KELLY—The question first comes on the amendment. All those in favor, say, "aye," those opposed, "no." It is a vote, and so ordered.

Coun. BAYLEY—Mr. President.

President KELLY—The question now comes on granting the license as amended.

Coun. HANNON—Mr. President.

President KELLY—Councillor Hannon.

Coun. HANNON—Like everybody else, of course, I did not intend to talk on this matter, and I really feel enough already has been said upon it, and I would not take to my feet except to state the question to my mind appears perhaps a little differently than it does to some of the other mem-

bers of the Council. As far as I can see, this question is no different from any other matter presented before this Council. Each and every one of us is sent here to decide these questions upon their merits, and each and every one of us is supposed to consider the pros and cons and reach a decision. This I believe we always do after matter-of-fact reasoning, and this I think has been done in this case. It is not unusual, in fact, it is the ordinary thing that there is a difference of opinion between the various members of this Council. It would be very, very unusual if we took any question presented here and especially one referred to a committee and reached a unanimous decision. We are all human beings, and each of us represents a different section of the city and it is only natural that each of us should follow varying lines of reasoning, and it is only natural each of us should reach a different conclusion. It is not unusual to be divided, and I think there are good arguments on both sides of this question. I think possibly this might affect the taxicabs of Boston, but I don't think it will affect them to a very great extent. As a matter of fact, ever since this was first presented here, I have been of the opinion that most of these trips from Northern avenue to the airport will be made with nobody in it but the operator of the boat because I can't imagine people carrying bags from the South Station, hopping onto a boat, waiting for the boat to start up again, and then getting over to the airport and carrying those bags a distance to their plane. I think anybody, or at least the average person who is going to the airport would get off the train and get into a cab, and have that cab take them to their destination. I don't think that the man is going to make a success of this venture, and yet I do think that the man has the right to petition for the license, and I do feel that he has the right to have us act upon it, either pro or con. Like the other councillors here, I believe, too, that we should give preference in all these matters to residents of the City of Boston, but we have had this petition before us for months, and certainly enough publicity has been focused upon it so that any resident of Boston who thought that this would become a paying proposition has had every opportunity to come down here and petition us for a license, but nobody has approached me on it and nobody has filed, as far as I can find out, any petition with the City Clerk or with the City Council for any like purpose. There, again, I feel that even though this is granted, we are not stopping anybody else from getting a license. I certainly would vote for another license for anybody else if I felt that these licenses were for the best interests of the City of Boston. My position in this matter is this: when petitions are presented to the City Council, regardless of the pros or cons of the matter, we are paid to render decisions on those petitions. I have had this same fight on the floor on another matter. I have no sympathy at all with the idea of keeping anything in committee. Let us bring it out here, let us vote yes or vote no. We have heard every single argument presented here that could possibly be presented, and there is no question of our acting. I have been in the Legislature for years, and I have been in here for years, and as far as I can make out, each and every one of the fellows here is just as honest as the other fellow, and each and everybody here has just as much right to reach his decision as I have to reach mine, and each and every one here has the same right to differ with his neighbor as I have to differ with mine. Our problem, as I see it, is to act on this thing. We have had it six months, let us pass it or let us reject it. No new arguments have been presented today, and no new arguments could possibly be presented. Each and every one has reached an honest conviction, so let us express that honest conviction either by voting yes or by voting no.

President KELLY—The question is on the granting of the license as amended. Those in favor, will please respond when their names are called. The clerk will call the roll.

The license was granted, yeas 14, nays 5:

Yeas—Councillors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Hannon, Keenan, Lane, Linehan, Madden, McCormack, Moriarty, Muchnick—14

Nays—Councillors Coffey, Hurley, Kinsella, Russo, Sullivan—5.

Present—Councillor Kelly.

President KELLY—Fourteen in the affirmative and five in the negative, and the license is granted.

SURVEY OF HEATH STREET, WARD 10.

Coun. CAREY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to make a thorough survey of Heath street, in Ward 10, with a view to devising some means of eliminating the now existing serious hazards to pedestrians, especially children, on that thoroughfare from the constantly increasing vehicular traffic.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CLAIMS.

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

1. Report on petition of Paul B. Curtis (referred March 3) to be reimbursed for amount of execution issued against him on account of his acts as member of Boston Police Department, recommending passage of the accompanying order:

Ordered, That the sum of four thousand seven hundred sixty-nine dollars and twenty-five cents (\$4,769.25) be allowed and paid to Paul B. Curtis in reimbursement for amount of execution 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 order was passed.

2. Report on petition of Edward Brosemer (referred March 3) 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:

Ordered, That the sum of twenty-one dollars and twenty-seven cents (\$21.27) be allowed and paid to Edward Brosemer 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.

The report was accepted and the order was passed.

3. Report on petition of Thomas Murphy (referred March 3) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor truck belonging to School Department, recommending passage of accompanying order:

Ordered, That the sum of thirty-one dollars and two cents (\$31.02) be allowed and paid to Thomas Murphy in reimbursement for amount of execution issued against him on account of his acts as operator of a motor truck belonging to the School Department, said sum to be charged to the Contingent Fund.

The report was accepted and the order was passed.

4. Report on petition of Melvin J. Melanson (referred March 3) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Bridge and Ferry Division, Public Works Department, recommending passage of the accompanying order:

Ordered, That the sum of eight hundred eighty-one dollars and forty-three cents (\$881.43) be allowed and paid to Melvin J. Melanson in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Bridge and Ferry Division, Public Works Department, said sum to be charged to the Contingent Fund.

The report was accepted and the order was passed.

5. Report on petition of Axel J. Stenberg (referred February 17) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Street Cleaning Division, Public Works Department, recommending the passage of accompanying order:

Ordered, That the sum of ninety-seven dollars and fifty cents (\$97.50) be allowed and paid to Axel J. Stenberg in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Street Cleaning Division, Public Works Department, said sum to be charged to the Contingent Fund.

The report was accepted and the order was passed.

6. Report on petition of Frank C. Burns (referred March 3) 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:

Ordered, That the sum of five hundred dollars (\$500) be allowed and paid to Frank C. Burns 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.

The report was accepted and the order was passed.

ACTION ON OFF-STREET PARKING.

Coun. MORIARTY offered the following:

Ordered, That his Honor the Mayor make known to the members of the Boston City Council or the public press what action thus far has been taken on the expenditure of the \$5,000,000 loan for off-street parking.

Coun. MORIARTY—Mr. President, it is apparent to us that the public press takes a lively interest in certain matters that come before our Body. He is fortunate who can get one of our local organs to support any measure or to support an action that might come before our Body. I recall definitely that some seven or eight months ago an order was submitted for a \$5,000,000 loan for off-street parking. We debated it pro and con and thrashed it out, and wandered to new locations, whether off-street parking would be the solution for our traffic problem, and still the public press chastises us when we do not take immediate action. We were belabored with such expressions as dilatory tactics, delays and so on. Now, the \$5,000,000 has been granted, and there is an apparent lethargy on the part of the press to follow it up. Therefore, Mr. President, I ask those reporters who come to City Hall to see if they cannot gather the news from the Mayor's office or where it might be, to inform us as to what relief we are going to get for downtown parking.

Coun. LINEHAN—Going along with the thought of the Councilor from Roxbury, I notice in the current issue of the *U. S. Municipal News*, "the Minneapolis City Council is considering as plan submitted by its Police and Street Traffic Committee proposing construction of 20 double-deck parking garages to be located in a rough circle near the city's business centre. The double-deck structures would handle 30,000 vehicles daily." Here we have a city trying to solve its traffic problem in the middle West. We thought we solved that traffic situation some months ago; at least, we thought we were on the way, and I agree with the gentleman from Roxbury it is about time we got some report on the progress. I filed an order some time ago requesting his Honor the Mayor to give the persons in charge of the off-street parking program an opportunity to visit the different cities that were trying to correct their traffic situation, but it is my understanding his Honor the Mayor struck that item out of the budget. So I don't know what the Real Estate Commissioner and the Planning Board Commissioner and also the Mayor have done relative to the loan we voted for so many months ago. I can't for the life of me understand why these people have not gotten after the Mayor and the commissioner in charge of this program. What have they done? About two weeks ago, I believe, I filed an order relative to the Boston Housing Authority and the \$10,000,000 loan, but the gentlemen on the board did not answer us particularly, but they did publish the development of that program up to date, I think it was, about three days ago, in the newspapers. I don't know why he has not sent it to this Body, because it was this Body who passed the order asking for information. He thought better to answer our Body through the press. I guess it is one of these things that department heads do, they answer through somebody else than ourselves. I hope this order is taken seriously to the extent that the Real Estate Commissioner, the Planning Board and any others in charge of the off-street parking program will let

us know what has been done up to date so that we might get some relief in the near future with regard to the traffic problem.

Coun. MORIARTY—Mr. President, I would like to add Councilor Linehan's suggestion as an amendment, that the Traffic Commissioner and the Real Estate Commissioner and the Planning Board Chairman be in attendance at our next meeting.

President KELLY—The Chair will refer the order to the Executive Committee, and the Executive Committee will notify those gentlemen.

Coun. MORIARTY—That the Planning Board Chairman and the Traffic Commissioner as well as the Real Estate Commissioner be notified to be in attendance at the next Executive Session.

President KELLY—The Clerk of Committees will be so notified, councilor.

The order was referred to the Executive Committee.

REPORT OF COMMITTEE ON RULES.

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

Report on resolve (referred March 3) that Congress enact legislation making April 19 a national holiday—that same ought to pass.

The report was accepted and the resolve was passed.

Adjourned, on motion of Councilor Russo, at 5.15 p. m., to meet on Monday, March 24, 1947, at 2 p. m.



CITY OF BOSTON.

Proceedings of City Council.

Monday, March 24, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Fish and Russo.

The meeting was opened with the salute to the Flag.

AMENDMENT OF ORDINANCES RE MARKET LEASES.

The following was received:

City of Boston,

Office of the Mayor, March 24, 1947.

To the City Council.

Gentlemen,—I am in receipt of a communication from the Superintendent of Public Buildings, recommending a further change in section 8, chapter 25, of the Revised Ordinances, as most recently amended.

The Superintendent of Public Buildings is prompted to make this recommendation upon advice of the Law Department of the city.

I am in agreement that the present ordinances concerning conditions in market leases lack the proper flexibility which will permit advantageous leases to be written in harmony with existing conditions. I therefore recommend the adoption of the accompanying amendment to the ordinances, and I further recommend that prompt action be given this matter by your Honorable Body in view of the fact that the revision of the ordinances, ordered by your Body last year, is now near completion.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
March 18, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—In the opinion of the Law Department, section 8 of chapter 25 of the Revised Ordinances should be amended in order that the market leases may be consummated from time to time and to meet varying conditions.

Under the present circumstances the conditions contained in the present ordinance lack a flexibility which is most necessary for the best form of lease to protect the best interests of the city.

I agree with the Law Department that this ordinance should be changed and I respectfully request your Honor to submit the amendment to the ordinance as outlined by the Law Department to the City Council.

Yours truly,
JAMES E. SULLIVAN, Superintendent.

City of Boston,
Law Department, March 7, 1947.

Mr. James E. Sullivan, Superintendent,
Public Buildings Department.

Dear Mr. Sullivan,—In contemplation of preparing the leases and the terms and conditions thereof for the Faneuil Hall Market, it is the opinion of the Law Department that the present ordinance, namely, section 8 of chapter 25 of the Revised Ordinances of 1925, requires further amending for the best interests of the City of Boston.

I am therefore enclosing an original and three (3) copies of the proposed change in this ordinance and respectfully request that you address a letter to his Honor the Mayor, together with these copies, asking that his Honor submit the same to the City Council for approval.

Very truly yours,
CHARLES M. ROSENFELT,
Assistant Corporation Counsel.

Section 8 of chapter 25 of the Revised Ordinances of 1925 is hereby repealed and in place thereof the following section is hereby substituted:

SECTION 8. The Superintendent of Public Buildings shall lease the stalls, cellars and second

floors in Faneuil Hall Market for a term of no less than three years at rents not less than those which have been established by the vote of the City Council therefor. No lease shall be valid unless executed by the Superintendent of Public Buildings, approved as to form by the Corporation Counsel, and approved in writing by the Mayor.

Referred to the Committee on Ordinances.

ORDINANCE RE VACATION AND SICK LEAVE FOR EMPLOYEES.

The following was received:

City of Boston,

Office of the Mayor, March 24, 1947.

To the City Council.

Gentlemen,—I transmit herewith an opinion from the Corporation Counsel concerning chapter 7 of the Ordinance of 1945, relative to vacation and sick leave for employees.

It is the opinion of the Corporation Counsel that the foregoing ordinance is wholly void, and in the opinion substantial references are given bolstering such opinion. It is my purpose to notify all department officials of this most recent opinion concerning the vacation and sick leave ordinance.

I therefore suggest to your Honorable Body that chapter 7 of the Ordinance of 1945 be repealed, as said ordinance will from this date forward have no further effect.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,

Law Department, March 15, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—You have requested my opinion as to the validity of chapter 7 of the Ordinance of 1945. That ordinance has two parts. The principal provision of the first part is that appointing officers "shall grant" to permanent employees of the City of Boston, and temporary employees who have completed six months of continuous service, certain vacation with pay. The principal provision of the second part is that employees of the city in appointive positions "shall, after completing six months of continuous service, be allowed" certain sick leave with pay. The other provisions of each part are so mutually connected with and dependent upon the respective principal provisions as to warrant a belief that the City Council intended all the provisions in one part as a single plan (see Sick Leave Rule VII) and that, if the City Council had not passed the principal provision of the part, it would not have passed the other provisions of that part. Hence, if the principal provision of a part is invalid, all the provisions of that part must fall.

Under St. 1885, c. 266, s. 6 (as amended by St. 1889, c. 320), and St. 1909, c. 486, s. 5 (as most recently amended by St. 1936, c. 152), the boards and officers in charge of the several executive departments of the city have the power to fix the salaries of the employees in their respective departments. The exercise of this power is subject only to your general supervision and control. The City Council cannot lawfully participate therein. St. 1909, c. 486, s. 8. See also St. 1885, c. 266, s. 12. An incident of the power to fix salaries is the power to determine both the vacation leave and the sick leave for which an employee may receive compensation. See *Quinlan v. Cambridge*, 1946 Mass. A. S. 953; also *Averell v. Newburyport*, 241 Mass. 333, 335, and cases cited. It follows that the rules and regulations governing vacation leave and sick leave are to be promulgated by the various boards and officers for their respective departments subject only to your general supervision and control. The City Council cannot directly or indirectly take part in the matter. The principal provisions of both parts of chapter 7 of the Ordinances of 1945 are mandatory in form and purport to dictate to the several department heads the vacation leave and the sick leave which they shall grant their employees. Both parts of the ordinance thus violate St. 1909, c. 486, s. 8.

This conclusion, which accords with an opinion given by Corporation Counsel Thomas M. Babson to the Trustees of the Cemetery Department on May 4, 1910, is not in conflict with G. L. (Ter. Ed.) c. 41, s. 111, as amended, or with St. 1908, c. 587, or with G. L. (Ter. Ed.) c. 41, s. 111B, as amended.

G. L. (Ter. Ed.) c. 41, s. 111 (as most recently amended by St. 1946, c. 301), which was accepted by the City of Boston on November 3, 1914, reads in part:

... all permanent civil service employees as well as persons classified as common laborers, skilled laborers, mechanics or craftsmen, regularly employed by such city or town, shall be granted an annual vacation of not less than two weeks without loss of pay. Such vacations shall be granted by the heads of the respective departments of the city or town at such time as in their opinion will cause the least interference with the performance of the regular work of the city or town. . . . At one time this statute contained a clause giving the City Council a limited power over vacations (see St. 1915, c. 60; St. 1921, c. 486, s. 10; St. 1923, c. 346; St. 1927, c. 131; St. 1932, c. 109; St. 1936, c. 242; and St. 1937, c. 15); but that clause was eliminated by St. 1941, c. 368. In its present form, the statute does not expressly state who is to establish the length of an employee's vacation; but the plain implication of the language used, when considered in the light of the statute's history, is that the heads of the respective departments of the city are to do so. Thus, G. L. (Ter. Ed.) c. 41, s. 111, as amended, really militates against the validity of the ordinance in issue.

St. 1908, c. 210, s. 5, as inserted by St. 1908, c. 587, s. 1, provides that nothing in that act (which relates to pay rolls) shall be construed as making it unlawful for a department head "to certify as days of employment holidays, half-holidays or vacation, authorized by the mayor and city council, although no labor or services are performed thereon." If the act is to be construed as vesting authority in the City Council, which it probably does not (see opinion given by the then Acting Corporation Counsel to former Mayor John F. Fitzgerald on August 25, 1913), the authority vested is merely the right to authorize, not the right to require or direct, department heads to grant holiday and vacation leave. See opinion rendered by Corporation Counsel Thomas M. Babson to the City Council on June 17, 1910. As above noted, the ordinance in issue purports to be a mandate to department heads and so does not come within the scope of the statute last quoted even if it be an enabling act.

G. L. (Ter. Ed.) c. 41, s. 111B (as amended by St. 1946, c. 187), which was accepted by the City of Boston on June 14, 1945, and provides sick leave for certain employees, cannot be invoked in support of the ordinance. The ordinance relates to all employees of the city in appointive positions; but section 111B concerns only foremen, laborers, workmen, and mechanics. Furthermore, the ordinance purports to grant sick leave; whereas section 111B merely empowers the City Council to determine the number of years for which sick leave allowances granted by that statute to foremen, laborers, workmen and mechanics and not used in any particular year may be accumulated for use in a subsequent year. Not even the provisions in the ordinance which pertain to the accumulation of sick leave can be upheld under section 111B, for they plainly relate to the sick leave granted by the ordinance and not that granted by section 111B.

This brief review of G. L. (Ter. Ed.) c. 41, s. 111, as amended, St. 1908, c. 587, and G. L. (Ter. Ed.) c. 41, s. 111B, as amended, makes it readily apparent that there is nothing in any of these statutes rendering St. 1909, c. 486, s. 8, inapplicable to the ordinance in question. As previously indicated, both the vacation leave and the sick leave parts of that ordinance violate the prohibition in St. 1909, c. 486, s. 8, against the City Council's taking part in the conduct of the executive or administrative business of the city. It follows that in my opinion chapter 7 of the Ordinance of 1945 is wholly void.

Respectfully yours,

JOSEPH A. SCOLPONETTI,
Corporation Counsel.

Referred to Committee on Ordinances.

APPROPRIATION FOR CHARLES STREET JAIL.

The following was received:

City of Boston,
Office of the Mayor, March 24, 1947.
To the City Council.

Gentlemen,—I am submitting herewith a supplementary appropriation order in the sum of

\$14,500 for necessary and urgent improvements at the Charles Street Jail.

I recommend passage of the accompanying order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of fourteen thousand five hundred dollars (\$14,500) be, and hereby is, appropriated for jail improvements, said sum to be raised by taxes on the polls and estates in the City of Boston, and that all orders heretofore or hereafter passed by the City Council relating to appropriations, taxes, and the interest thereon apply to the appropriations and taxes herein provided for.

Referred to Committee on Appropriations.

ADDITIONAL APPROPRIATIONS, 1947 BUDGET.

The following was received:

City of Boston,
Office of the Mayor, March 24, 1947.
To the City Council.

Gentlemen,—Since submission of the budget to your Honorable Body on February 3, 1947, I have been advised by the Budget Commissioner that it will be necessary to increase the appropriations for the following departments as specified:

Fire Department, C-16, Wearing Apparel, \$69,000; Institutions Department, Steamer "Stephen J. O'Meara," B-39, General Repairs, \$6,000; Registry of Deeds, A-1, Permanent Employees, \$12,000; total, \$87,000.

The additional sum of \$69,000 in the budget of the Fire Department is necessary in order to provide uniforms for the new men and officers required due to the 48-hour law now in effect.

The additional sum of \$6,000 in the budget of the steamer "Stephen J. O'Meara" is necessary in order to cover emergency repairs as required by the U. S. Coast Guard marine inspectors. The original allowance of \$14,000 will not be sufficient to meet the cost of these repairs.

The additional sum of \$12,000 in the budget of the Registry of Deeds is necessary in order to provide for the salary of a Technical Assistant established under the provisions of chapter 185, section 10A, of the General Laws, and to rectify a misclassification in the item of Piece-Work Copyists.

I respectfully request your Honorable Body to increase the appropriations as above outlined and, in accordance with Charter provisions, I give my approval to such increases.

Respectfully,
JAMES M. CURLEY, Mayor.

Referred to Committee on Appropriations.

PETITIONS REFERRED.

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

Claims.

Guilford S. Allen, for compensation for injuries caused by an alleged defect at 52 Beverly street.

Anthony Carvella, to be reimbursed as result of accident which occurred while in performance of duty.

Mary Fahey, for compensation for injuries caused by an alleged defect at 1 Stoughton Street place.

Frank J. Gayeski, to be reimbursed as result of accident which occurred while in performance of duty.

George W. Girvan, to be reimbursed as result of execution issued against him.

H. & C. Taxi, Inc., for compensation for damage to car by city car.

Enid Hallin, for daughter, Marion Hallin, for compensation for injuries caused by police cruising car.

Lars P. Hanson, to be reimbursed for collapse of water boiler at 26 Ridgewood street, Dorchester, caused by water being shut off.

George Holland, for compensation for loss of clothing at Boston City Hospital.

Patrick G. Howell, to be reimbursed as result of execution issued against him.

Jennie Lee, for compensation for injuries caused by an alleged defect at 21 Hudson street.

Matthew C. Muliero, to be reimbursed for execution issued against him.

Musulino Loconte Company, for compensation for damage to truck caused by an alleged defect in Mercantile street.

Lloyd J. Marshall, for compensation for damage to car caused by defective roof at 27 Avenue E, Columbia Village.

Lloyd J. Marshall, to be reimbursed for expenses incurred in repairing roof at 27 Avenue E, Columbia Village.

Bella Rees, for compensation for injuries caused by an alleged defect at Haymarket Square terminal.

Dagney Rognes, for compensation for injuries caused by an alleged defect at 722 Huntington avenue.

James Slamatos, for compensation for damage to car by city car.

S. M. Spencer Manufacturing Company, to be reimbursed for plate glass sign broken by city truck.

U. S. Army, First Service Command, for refund on ferry tickets.

Committee on Licenses.

Petitions for driveway openings: Max Segekman, 165 Stanwood street; Joseph J. Gottlieb, Joseph M. Greenberg, 120 Mountfort street, Ward 21; Joseph J. Benkert, 719 Washington street, Ward 17; Trimont Manufacturing Company, 55 Amory street, Ward 11; White Fuel Corporation, 888-940 East First street, Ward 6; Italian Catholic Cemetery Association, at Bourne street and Neponset avenue, West Roxbury.

Petition for motor bus operation: Boston Elevated Railway Company, to operate motor buses over Beacham street, between busway leading from Sullivan square Terminal and Main street.

Petition for Sunday bowling permit: New Allston Alleys, John J. Callaghan, 137 Brighton avenue, Allston, Ward 21.

Executive Committee.

Petition of Helen C. Kilroy, to be paid annuity on account of death of her husband, Charles B. Kilroy, late member of Police Department.

Petition of Boston American League Baseball Company for license for Sunday Sports, full term.

Petition of National League Baseball Club for license for Sunday Sports, full term.

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. MUCHNICK—Is there any particular reason why the baseball licenses should not go to the License Committee instead of the Executive Committee?

President KELLY—It has been customary for the last ten years to send it to the Executive Committee.

NOTICE TO EVERETT K. MACISAACS.

Notice to Everett K. MacIsaacs in answer to his communication of March 12, 1947, re permit for driveway opening at 312-318 Athens street, South Boston, that Council voted to grant this opening on March 25, 1946, and Mayor approved such vote March 26, 1946, and permit can be obtained at Permit Office, Public Works Department, City Hall Annex.
Placed on file.

NOTICE OF HEARING BEFORE PUBLIC UTILITIES DEPARTMENT.

Notice was received of hearing to be held March 27, at 10.30 a. m., before Department of Public Utilities on petition of City of Boston that Public Utilities Department determine the amount to be paid by Commonwealth of Massachusetts as their share of rental on account of alterations and extensions to Boylston street subway, the Boston Elevated Company having notified city that there will be no payment of rental by the company.
Placed on file.

COMMUNICATION FROM BOSTON WATERWAYS, INC.

The following was received:

Boston Waterways, Inc.,
1119 Old South Building,
Boston, March 13, 1947.

To the Mayor and City Council of the City of Boston in their capacity as County Commissioners of the County of Suffolk, Commonwealth of Massachusetts.

Dear Sirs,—In accepting the license issued to Boston Waterways, Inc., to operate a ferry service for hire across Boston Harbor, approved by the Mayor March 11, 1947, the licensee agrees that unless explicit written permission for a change is given hereafter by the licensing authority:

(a) The regular landing place in Boston shall be on Fort Point Channel on the north side of the Congress street bridge, and

(b) On those occasions when because of the state of the tide it would not be possible for the boats of the licensee to reach or depart from this usual landing place without requiring the opening of the Northern Avenue drawbridge, landings will be made at a secondary dock located north of the Northern Avenue Bridge.

Very truly yours,
Boston Waterways, Inc.,
BEECKMAN L. FAIRBANK,
President.

Placed on file.

APPOINTMENT OF JOSEPH A. LANGONE, JR.

Notice was received from the Mayor of appointment of Joseph A. Langone, Jr., of 190 North street, Boston, to be Election Commissioner for the term ending March 31, 1950.

Placed on file.

NOTICES OF INTEREST IN CONTRACT.

A communication was received from Mary W. Cauley, Director of Household Science and Arts, that she is author of book, "The Science and Art of Homemaking," authorized for use as text book by School Committee.

Notice was received from Merton P. Ellis, member of Board of Appeal, of interest in contract awarded by Law Department.

Severally placed on file.

VACATIONS AND SICK LEAVES FOR POLICE OFFICERS.

Coun. HANNON and BRYAN offered the following:

Ordered, That the City of Boston hereby accept chapter 146 of the Acts of 1947, an Act relative to vacations and sick leave for police officers of the City of Boston.

Passed under suspension of the rules.

Coun. HURLEY—Mr. President.

President KELLY—Councillor Hurley.

Coun. HURLEY—I had the same type of order to introduce.

ARCHITECTURAL PLANS FOR VETERANS' HOUSING.

Coun. LINEHAN offered the following:
Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to secure architectural plans from the New York State Commissioner of Housing relative to the construction of homes for disabled veterans who have lost the use of their legs as a result of a disability incurred while in the armed forces of our country; and that a survey should be conducted by the Boston Housing Authority to ascertain the number of Boston war veterans so afflicted in order that a sufficient number of specially constructed homes may be provided out of the City of Boston's \$10,000,000 appropriation for housing for veterans, such as is being done at the Manhattan Beach Housing Project in Brooklyn, and be it further

Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to take notice of the fact that Howard W. Hopkins,

Executive Director of the Child Welfare League of America, recently stated "Housing Lack Seen Cause of Birth Control." He further stated "that many couples have deferred having children because of no place to rear them." He urged the League to appeal to local housing agencies to include provisions for more children in mapping future housing expansion. Therefore, it is suggested that the Boston Housing Authority construct a sufficient number of 6-room apartments in the City of Boston's \$10,000,000 housing program, in order that provision may be made for the growth of war veterans' families.

Coun. LINEHAN—Mr. President, with regard to the first part of my order I would like to say a few words relative to what they are doing in New York City at the present time. I recently read an article in the paper that mentions the fact that there are seven veterans being provided with the type of housing which they will need as a result of a condition incurred and inflicted upon them by the war; that is to say, they have lost the use of their legs, as a result of which it is very difficult for them to get around in the ordinary home. It happens that right in my own ward there is one war veteran who has lost both legs; as a matter of fact, they have been cut off, one was shot off and the other was finally cut off because it was hanging by just a small part of skin and flesh. As a result of this condition and as his family lives in a three-flat apartment house, such as many of us live in at the present time, he has to be carried up and down the stairs. Even without his legs the boy happens to be a very heavy young man, and as a result of being carried up and downstairs, it does not help his morale any. I know that many veteran organizations are joining together to try to do something for him with the view to raising a sufficient amount of money probably some time in the future—I hope in the not too far distant future—to construct a special home for him. My thought in the matter was, shouldn't the City of Boston itself have specially constructed homes for these particular young men? There might be, as I understand and have been informed by the veterans' organizations, probably about four people in Boston afflicted like this young man, four without the use of their legs and who have arrived at that condition as a result of serving their country in the armed forces in the last war. Contrary to what I read on the editorial page of one of our local papers, this young man has not found it possible to procure proper housing conditions. This young man I am referring to is living with his family, and I understand there are seven people living in one flat of about four rooms. It seems to me there are a great many people in this country who think the statistics relative to the lack of housing do not show that there is actually a need for housing such as we needed before the war. I am not getting these so-called statements out of my head; in fact, I read them in one of our local papers. On the editorial page of this paper it says, "By the simple but long available device of referring to the figures of the United States Census Bureau for 1946, the economist shows that there is little actual housing shortage in the United States." Of course, I do notice in this particular article it does say "in the United States," but the article goes on and disagrees with the thought in the minds of many of us here in Boston, that there is a lack of housing, not only for veterans but for everybody, and I think every councilor here who listens to the heartaches day in and day out and the cries to help the people of Boston overcome their heartaches, yes, the city councilor is another gentleman in public office who is trying to help the poor unfortunates, and we are the type of men in the City of Boston that are trying to help people get over the troubles which they have incurred as a result of the World War conditions. We are trying to help them get houses. The members of the City Council only some six months ago passed a \$10,000,000 loan order for housing, and let me state for the benefit of the citizens of Boston, that program was started by the members of the Boston City Council and not his Honor the Mayor. I noticed in the papers recently that they give credit, if credit is due to anybody, to his Honor the Mayor for his housing program for veterans. After awhile, some of us who I think have fought for the veterans relative to housing day after day and who have taken the floor last year fighting for houses for veterans over the opposition of his Honor the Mayor, get kind of tired of reading in the papers day after

day that his Honor the Mayor is doing something for veterans. I have noticed it in the *City Record*. I, as a member of the City Council, am not going to sit back forever and have to listen to the attacks on the "do nothing" city councilors. If we have done nothing else, we have passed a loan order for \$10,000,000 for the housing of veterans, and may I say every member of this Council got behind that program 100 per cent, and I am sorry to say that up to this date no city councilor in any way has received to my knowledge very much recognition for that hard fought battle which they won over his Honor the Mayor, and I think it is time somebody got up on the floor of the Council to give credit where credit is due. After all, I do realize the taxpayers of Boston in the long run will gain. Over a period of years the veterans who have lived in those houses may buy them at the end of five years and will pay a sufficient amount of money to the taxpayers of Boston so that in the long run the taxpayers of Boston won't lose one cent. As a matter of fact, after five years when the veterans and others buy these homes, they will then be taxable by the city and probably over a period of 10 or 15 years the city will be more than reimbursed for all the moneys they paid for housing. I can't see that the taxpayers are going to be charged one red cent in providing decent housing for veterans and others, because not only will the veterans be able to buy the houses in five years but any citizen may if he is lucky enough to be able to get one. The City Council has been trying to get information relative to the administration of the \$10,000,000 housing program, and the councilors are probably sick and tired of listening to me month after month filing orders relative to housing. I am filing these orders merely to let the members of the Boston Housing Authority and the Mayor know that at least the Boston City Council wants to know what action is being taken relative to the housing program for veterans. I don't mean the shacks at good old Camp McKay. I mean good housing such as that which can be built under the supervision and under the direction of the Boston Housing Authority. I don't suggest the Boston Housing Authority should do everything I suggest, but I think it is our duty to notify the Boston Housing Authority who are agents of the City of Boston relative to veterans' housing and to take cognizance of the fact that other cities are trying to provide for totally disabled veterans such as the young man I have been speaking about earlier in my talk. They are providing seven homes in Brooklyn, I believe it is, for totally disabled war veterans who have lost their legs as a result of a casualty in World War II, and it seems only fitting and proper that the taxpayers of Boston would like to see some of that \$10,000,000 spent for such a type of house so that a young man can go up a ramp right into it; you might say a one-story structure so that he won't feel under obligation to people for carrying him up and downstairs. I know from experience it is not an easy job to carry people up and downstairs because it is done in my home every day in the week and even I would like to see more specially constructed houses so that I myself might want to buy one of those homes. Going back to this editorial here, it says, "Do you know" he asks, "the American people have more housing now than before the war, not merely in the total number of homes but more in proportion to the number of persons?" May I say to this gentleman, whoever he is, and I don't know who he is, that if he wants to come around with me any day in the week, I will take him into homes in South Boston or Dorchester and all over the city from where I have received letters to intercede about trying to get apartments in housing projects, even in Camp McKay or Allison playground, and all the other places and he no doubt would wish to take back this editorial because I will prove to him beyond any shadow of doubt the housing situation in Boston is terrible. I know homes where there are at least ten people living in about four rooms, and I am not joking, gentlemen. I don't know where those facts and figures have come from which they quote, but it burns me up when we know from our own experience of the terrible housing shortage in Boston. I don't want the local papers to impress the people of Boston that their \$10,000,000 is going to be wasted because we have sufficient housing for Boston. That is not true. Relative to the second part of this order, and contradicting this editorial, I read there was a meeting about a week ago under the supervision, or held, I believe

it was, by the Child Welfare League of America, and at that meeting Howard W. Hopkins, Executive Director of the Child Welfare League of America, said among other things, "That although three million children were born in the United States in 1946, many couples had deferred having children because of no place to rear them. Many family homes had been converted into multiple dwellings so streamlined that no provision had been made for children." The article goes on, "He urged the League to appeal to local housing agencies to include provision for more children in mapping future housing expansion. He also said many families now were broken up because of lack of space for the entire family under one roof."

Modern conditions of city living in overcrowded homes make it difficult to bring up a busy, inquiring independent youngster. Society does not know how hard it is to be the mother of a two-year-old in a one-room apartment. She has a ten-acre child with only a play tent for his outlet." The last few remarks were made by Dr. Mary Fisher Langmuir, Professor of Child Study and Director of the Nursery School at Vassar College. That contradicts the statement I read awhile ago in one of the local newspapers in its editorial section. Certainly the people who are studying the trials and tribulations of families and children must know the answer better than this gentleman from one of the local papers. I filed this particular part of the order because of the fact that I read recently the Chairman of the Boston Housing Authority announced probably they would not construct as many six-room apartments as they thought they would at the outset when the \$10,000,000 loan order was passed by us some months ago, and may I let the Boston Housing Authority know that regardless of the cost, we don't want to have birth control, we want to build as many six-room apartments as possible so that the veterans can have children. You only have five-room apartments and that is all, and you know you can only have two or three children, and God knows in the very near future, we might find we are sorry we had any practice of birth control in the United States because they say our population is diminishing, and I dare say one of the reasons is because of the lack of housing, as was said by the distinguished Director of the Child Welfare League of America. This is just serving notice, I think in a nice way, that we want as many six-room apartments built as possible, regardless of the cost because in the long run the city will get the money back, anyhow, it is no cost to the city in the long run. The important thing forgotten by the members of the Boston Housing Authority is, if they do a good job with this \$10,000,000 program, I think the citizens of Boston will demand that the Boston City Council appropriate more money for housing of veterans, and I think the City Council will go on record after the homes are built and after they see how good a job is done by the Boston Housing Authority for more money; we will then probably request more money for housing for veterans and their families, which ultimately means there will be more housing not only for veterans but others. I sincerely hope the order is passed.

The order was passed under suspension of the rules.

VETERANS' MEMORIAL CONSTRUCTION BY WHITE FUND.

Coun. LINEHAN offered the following:

Ordered, That the Trustees of the George Robert White Fund consider the advisability of constructing a Veterans' Memorial Auditorium which will provide a living memorial to the City of Boston's departed heroes which can be kept alive by making provisions for housing War Veterans Organizations within the Auditorium, and be it further

Ordered, That said Trustees consider the advisability of constructing a large recreational center in Boston which can also be dedicated as a Veterans' Memorial Recreational Center.

Coun. LINEHAN—Mr. President, I realize that when we serve in public office, no matter what we do, no matter if it is the best thing in the world for the people, you will get very little credit for it in the long run. I sincerely think that the present Trustees of the George Robert White Fund thought they were doing a good job for the people of Boston when they decided at least tentatively to erect a monument on the Common as a memorial to the deceased heroes of World

Wars I and II. There are some of us, I understand, who object. I read in the newspapers that many people are against the project as outlined by his Honor the Mayor recently. Personally, I for one am not going to disagree with him that that is the type of monument to be erected. I would say this. If it is going to be the only one, I don't think that is the type of monument we should have. I should think it would be more along the lines outlined in this order of ours for obvious reasons. May I say as a citizen of Boston I realize there are hundreds of statutes and monuments throughout the city which I as a citizen of Boston have not even seen, and I don't know where they are, and I dare say if we had a large auditorium as outlined in this order and which can be built, by the way, out of the funds which are accumulated as a result of the profits made on the investments of the George Robert White Fund Trustees over a period of years—and in that connection I might say the court ruled in 1938 that recreational centers could be built out of the income from the George Robert White Fund—we have not any worry about having the Trustees tell us they cannot spend the money for these projects because it is obvious they can if they care to read the decision handed down by the Probate Court of Suffolk County. I sincerely believe every veteran sitting in the Council today will agree with me that they as veterans would prefer to have a so-called living memorial to the deceased war veterans such as outlined in this order rather than just a big granite statue or monument, or whatever you might call it, placed on the Boston Common. I think the time has come when people want to see actually living memorials, something which will be of utility to the people of Boston and which you might say would add much more beauty to the city than a statue which would be lost on the Common. I sincerely hope the President of this City Council, who is a member of the George Robert White Fund Trustees, will impress upon the members of the Board of Trustees that these two projects would be much more, you might say, apropos as living memorials to the deceased war veterans than the one which they outlined just a short while ago. It would be a nice thing if the Trustees would decide that we could have those two plus that monument which they tentatively selected as a memorial to the deceased war veterans. I sincerely hope as long as the Trustees won't spend money on the order which I filed last year relative to a hospital which would provide for the care of paralytics, which would include also veterans who have lost the use of their limbs and who are being treated, in my opinion, not in a sufficient manner at the Boston City Hospital and other hospitals, that we could have a real hospital in the city which would take care of the veterans and others who are afflicted with infantile paralysis plus a better hospital for contagious diseases. I think we would have something worth while in the City of Boston which would be a real memorial, not something which is just a dead piece of stone with a little inscription on it.

Coun. COOK—Mr. President, I am highly in favor of what the councilor has just said. Last year when I was on the committee appointed by his Honor the Mayor with the Street Commissioner and the Park Commissioner about a fitting memorial to the veterans of the wars, the first suggestion I made was for a memorial of this nature. I was told at that time that the George Robert White Fund could not spend money for such a memorial. I hope they are wrong, and I hope you, Mr. President, as a member of that Body will see fit to bring our views to their attention to persuade them to put up a proper memorial which, if done correctly over a period of years would be self-paying. The idea could be brought forth at that meeting that this meeting hall would be available to all veteran organizations. It could also be rented out for convention meetings and it would attract people from out of the state. I hope, therefore, Mr. President, you see to it our views are presented strongly to the Trustees of the George Robert White Fund to see if we cannot get action on this memorial.

The order was passed under suspension of the rules.

COLUMBUS PARK IMPROVEMENTS.

Coun. LINEHAN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to install

boilers in the Columbus Park Locker Building in order to provide hot water for the children using the park facilities and also to lay out and put in good condition the hard and soft ball baseball diamonds at said Columbus Park.

Passed under suspension of the rules.

RESTORATION OF CASTLE ISLAND TO THE CITY.

Coun. LINEHAN offered the following:

Whereas, The City of Boston prior to World War II had leased Castle Island from the Federal Government for many years and it was used as a beautiful recreational facility by the people of Massachusetts and now that the war is over, the Federal Government has declared said Castle Island as surplus property and might sell it to someone other than the City of Boston to the detriment of the many citizens not only of Boston but of the entire Commonwealth, therefore be it

Resolved, That the Boston City Council in meeting assembled do hereby urge his Honor the Mayor, James M. Curley, Robert A. Bradford, Governor of the Commonwealth of Massachusetts, and also the Massachusetts delegation in Congress, to do everything possible to restore once again Castle Island to the City of Boston under lease or direct ownership, so that it once again may be enjoyed by the many people of the Commonwealth as a recreational facility and also as a historical shrine.

Passed under suspension of the rules.

Coun. LINEHAN—Mr. President, might I suggest, that Councilor Scannell's name be put on the Castle Island order?

IMPROVEMENTS FOR EDISON GREEN, DORCHESTER.

Coun. LINEHAN, HANNON and SCANNELL offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to plant shrubbery, flowers and grass on the small park located on Edison Green, Dorchester, and also to consider the advisability of putting up small benches for the people to enjoy during the coming spring and summer seasons.

The order was passed under suspension of the rules.

VENIRES FOR JURORS.

President KELLY—The Chair is in receipt of a venire for jurors.

Coun. COFFEY—Mr. President.

President KELLY—Councilor Coffey, for what purpose does the gentleman arise?

Coun. COFFEY—Mr. President, I want to make a motion that we put off the jurors' list until we take care of the rest of the business which we came in here to attend to today. I mean, we have started in with some of the business and I would like to see it finished before we go into Executive.

President KELLY—We have a venire from the court to draw jurors, councilor, but it is up to the pleasure of the Body.

Coun. COFFEY—I make a motion that we go on with the business of the City of Boston and take up the drawing of jurors before going into Executive Session.

President KELLY—Councilor Coffey makes a motion that we go on with the rest of the City of Boston business and draw the jurors before going into Executive Session. All those in favor say "aye," those opposed, "no," and it is a vote.

Coun. BAYLEY—Mr. President, a point of order.

President KELLY—Councilor Bayley, will you state your point of order?

Coun. BAYLEY—Inasmuch as you decided to take up the drawing of the jurors and sent the Messenger down to notify the Mayor and started on that business, now you must complete that task.

President KELLY—It is unnecessary to finish it because the councilors voted we should continue on with the regular order of business.

INVESTIGATION OF PERSONS MAKING CHARGES AGAINST COUNCILORS AND CITY OFFICIALS.

Coun. COFFEY offered the following:

Ordered, That the District Attorney of Suffolk County be requested, through his Honor the Mayor, to investigate all persons who have made serious charges against the members of the Boston City Council and other city officials.

Coun. COFFEY—Mr. President.

President KELLY—Councilor Coffey.

Coun. COFFEY—Mr. President, talking on the order. I want to go back, Mr. President, to the Boston *Herald* of Monday, December 9, 1946. This is long before there was ever any thought of any investigation by the District Attorney's office of the Council and of city employees, an editorial by William E. Mullins which says, as I see it, that the legislative commission should recommend the abolition of Boston's 22-man City Council. There is no need to go into that here today, but it is enough to say the Boston *Herald* started this investigation that is now taking place way back in December of last year and not in March of this year. The proof of that is that there has been an editorial written by Mr. Mullins of the *Herald* that we should have a 9-man Council instead of a 22-man Council. There have been some charges made, Mr. President, of graft and corruption in all kinds of headlines. To begin with, I would like to read the headline of the Boston *Traveler* which says, "\$400 Bribe Charge," in big, black type. "Pay-Off Made Ex-Councilman, Vet Says Gave Money Trying to Save Business." It goes on to say, "A marine veteran charged today that a man, then a Boston City Councilman, took a \$400 bribe from him to prevent the city from closing his business as a 'public nuisance.'" I can end that by saying that man is now held on \$50,000 bail for rape. That is No. 1. That is the type of person who has been running to the District Attorney's office and who has been running to the *Herald-Traveler*, giving evidence that there has been graft and corruption going on in the Boston City Council and also among city employees employed by the City of Boston. In yesterday morning's *Post*, "Politics on Parade,"—I wish the paper had carried the story on the front page like most of the other papers have been doing about bribe charges and so on, but this is on an inside page—it told of some very interesting facts about some of these men who have made charges against the Boston City Councilors and so-called other bag men. One man made the charge that some bag man, in his own words, carried in headlines in the *Herald-Traveler*, a bag man went out to him and demanded a bribe, and he said, "Providing I get that money, you will get your license. Otherwise, you won't get your license." There was a very interesting story in the *Post* yesterday in reference to this man who never applied for a license, had no business to occupy or to keep him in business, never was before the Board of Street Commissioners seeking a license and, therefore, could not get a license. That man deliberately lied. He said after he knocked the bag man down and knocked three teeth out and went back and washed up the blood off the sidewalk, his license was mailed to him the next day. We all know, as the *Post* reported, that no such thing occurred. A license is never mailed by the Board of Street Commissioners. If the license is approved, the Board of Street Commissioners so notifies the person and tells him to come in and pick up the license and pay the fee. So that is lie No. 1. I have asked the District Attorney's office to investigate these men who have made these charges. This all started off with a statement on the floor of the Council that rumors were flying, and I want to make the statement now that rumors are flying the *Herald-Traveler* in some way or another has induced these men to come up and make false statements. The proof of that is very simple and, as I go along here, you will find out that what I say is true. Here is another headline in the Boston *Traveler*. This headline says, "\$5,000 Bribe Demand Made, Firm Quits City." The next edition of this paper said that the people who gave him the statement, gave the statement to the *Herald-Traveler*, have refused to confirm the statement, that they are afraid of reprisals, they are afraid of vengeance from city employees and others. That is a fine state of affairs—to print in big headlines, "\$5,000 Bribe Demand Made," that it was made by somebody in the city, and as a result the firm who wanted to do business in the city refused to pay the \$5,000 and left the city to

build a business in some other place, and while in their very next edition they admit they have no evidence, they admit they cannot corroborate the statement they put out in headlines. These are the ones who should be indicted. Mr. Mullins should be indicted, the gentleman from the *Herald-Traveler* who was seen talking in the Statler Hotel to a member of this Body two weeks ago, just about the time this thing exploded. Hell, everybody knows during the Tobin and Kerrigan administrations Stuart Rand of the *Herald-Traveler* could go down to the Mayor's office more often than we could. The man who made the Mayor, Stuart Rand of the *Herald-Traveler*, could go in there any time he wanted, but we could not get in there. What is the story? Mullins opposed the limousine transportation company that was seeking a permit to go from Boston to the airport. He opposed it viciously for four months in his newspaper and he lost out on that one. Where does he step into the picture next? Last December, December 9, in an editorial he stated that the City Council should be abolished, and that a 9-man Council should take its place, and then we find out in that same editorial he is backing a Mr. Beeckman L. Fairbank who is looking for a permit for a water taxi from Boston to the airport. He could not get the limousine concession, so he did the next best thing he could, he got the water taxi concession. That is very interesting. He is hitting the councilors for one reason. He wants to hit the Mayor, not us. He knows when he could use that office in the bonding business for the past eight years downstairs and have friends like Stuart Rand who could walk in and out of the office any time he wanted to; he knows if he abolishes the 22-man Council and gets a 9-man Council he automatically gets the City Manager, and if he gets the City Manager then he can walk in and out of the office and can do business. That is all he wants—to eliminate the Mayor, not the members of the City Council. He does not care anything about us. He wants that office downstairs so that he can use that office. In his editorial of Monday, December 9, 1946, he recommends Henry Parkman for manager. Everybody knows Henry Parkman, like Stuart Rand, is a blueblood. That would give him an opportunity to get downstairs again and to get in on some of the rackets they are trying to expose with their dirty, rotten, deliberate, filthy lies. That is the type of people who are trying to cause this scandal, and I will prove it before I get through today. They are malicious, rotten, they are dirty, filthy liars. I can prove that. Sure, there were big headlines in the *Traveler* last Monday which started in with four-inch type, "Vet Beats Shakedown. Man from City Hall Out." All in big headlines. That was the only piece that day referring to the probe, just that one piece, and it went on to tell near the last paragraph the gentleman who wanted the permits for sidewalk openings took four sidewalk openings without permits, knocked down 40 feet of wall without a permit, and said, "I am going to knock down the rest of the wall without a permit," and in the last paragraph in very small type it said when he went to City Hall "the gentleman who has this diner and this block shop and this gas-line station who has 210-foot openings without permits," he said, "we were told to see the man from City Hall, but we didn't see the man from City Hall because we feared there was a shakedown in the background." They feared there was a shakedown. They did not see the man from City Hall, but still in big, bold-type headlines it said, "Vet Beats Shakedown," and they go on and deliberately lie and come out in the end and say the man didn't see the man from City Hall. How could there be any shakedown? How could they be in business? How could there be any charge of graft if they did not see the man and did not talk to him? They went ahead and took 210 feet of openings without permits, and knocked down 40 feet of wall and put up three great big businesses there, a big Socony gas station, a Diamond Diner reputedly worth \$40,000, and a block shop that must have cost in the same neighborhood, and the man said, "When I went to the *Traveler* and gave the story, they promised not to print my name," but they carried his name in bold type all over the paper, and this man to this day admits he did not talk to the supposed-to-be man going to stick him up. It is a series of rotten, deliberate lies trying to force the 22-man Council out and to back the 9-man Council, so that the *Herald-Traveler* can walk in and out of the Mayor's office for the next two years as they have done for

the past eight years. Now, they went back three years ago and they gave me a whole page. I don't know what I. J. Fox paid for that ad, but I know the rest of the page is devoted to me. "Bus Line Abandoned in Effort to Get Permit After City Council Stalled for Three Years." It goes on to tell how somebody who represented the bus line came up to see Councilor Coffey. That is true. Then I sent a letter. That, too, is true. And he asked the councilor when he was going to hold a meeting. That is true. And my answer was, "When the members of the Committee on Licenses want a hearing I will hold it, and not before." So the man said I was very antagonistic to him. He is probably one of the few I was antagonistic to, but I treated him like a gentleman, and I don't know why because now I can see what he is. The answer to that is this: The councilor from Ward 14 (Councilor Muchnick) tried to take this out of committee, and I asked the councilor what his interest was, and he said no interest, only that; he admitted he was not the attorney. He said, "I am not the attorney for this outfit," but he knew somebody down there, and he said this ought to be taken out of committee, and he would like to see the councilors do their duty the same way he does his duty, and my answer to him was, "For ten years people have been trying to get me to do my duty, and I do as I see fit." That is right. I do as my conscience dictates. Nobody tells me what to do. I do what I think is best for myself in the line of getting votes, and the district which I represent has always been good enough to give me these votes, and I think they will continue to give them to me. But they did not go on to say the real story. After this man came up here in 1942, he said, "I don't need your help." He went to the Department of Public Utilities and, under a Republican Governor who had more war emergency powers, he got a permit to run these buses all the way from New Hampshire to Boston. He did not need us; he told us so. Then he came back in 1944 because then he thought within a year the emergency powers of the Governor would go out, and then he asked to hold a hearing after three long years, and my answer to him was this, "I will hold a hearing provided the members of the committee want that hearing." That is on record on October 28. That is on record that I have said that, that I made that statement. Then I asked him why he waited all this time to come back to us, and he said, "Because we didn't need it then." I said, "That is too bad. How do you think we feel about it? I for one don't want any buses running through the streets of Boston. The Boston Elevated is overloading now the fourteen cities and towns that support it. You are bound to take some business from the Boston Elevated." The Boston *Herald-Traveler* said they got over that obstacle, that the Boston Elevated did not oppose it. Of course they opposed it. Of course Mr. Downey came down here and opposed it. Of course he did. But they are lying as they usually do, and then, to end their rotten, filthy story—and Coffey is all over their paper—it is the feeling of the representative of the Boston & Maine Transportation Company that the delay by the Boston Council must have some explanation. It feels. It was not because somebody wanted something. That is a nice statement to make. It feels as though somebody wanted something. Can you tie that? We are condemned by a man who feels, who did not ask if anybody wanted anything, who said in his statement right in the paper that when he filed the petition several members of the City Council called him up and said, "I will vote for your petition." Several members called him up, and, when Councilor Muchnick moved that petition be taken from the Committee on Licenses, he got three votes—Councilor Bayley, Councilor Taylor and Councilor Muchnick; thirteen other members of this Body voted against it. That man is a deliberate liar who says every member of this Body called him up and said they would give him a vote on it. He is nothing but a deliberate liar and he is another one of those who is adding fire to the fuel of the Boston *Herald-Traveler* who is asking for these investigations, as I have said, for one reason so that they can get in downstairs. These are the ones who want to get in downstairs and they have not got guts enough to say they will take a buck. A buck is nothing to them; they want the big dough. They know what they want, and they have been getting it for years and years and years. Wasn't Henry Parkman's office

the office representing all the big tax abatements in Boston? Of course it was, and that is the man they want now as manager of the City of Boston so that the *Herald-Traveler* can get in and out downstairs as they wish. Another thing I want to bring out which they had in hold type, and this ought to give every member of the Council a laugh: "Council Czar for Driveways. Law Gives Councilmen Control over Permits." Now, after all these years, "Constitutionality Questioned." For the benefit of the few people in the gallery, let me tell you what the chairman of the Committee on Licenses does. You have heard eight or nine licenses hrought in today. You heard the President of the Council refer them to the Committee on Licenses. Did you see a councilor talk to me today for a little while? He has two licenses in his district. He said, "Jim, will you poll the committee? I want to get them today." I said, "Yes. I will poll the committee."

Coun. COOK—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. COOK—Mr. President, I don't think during a duly constituted meeting of the Council that the councilor should address anybody except the Council or the Chair.

President KELLY—The point of order is well taken. Councilor Coffey.

Coun. COFFEY—Of course, nobody in the gallery can hear me. Forget that. Anyhow, Mr. President, one of the councilors asked me to report through a couple of licenses today, and I said, "Of course, I will." That is all we ever do. There is not a councilor in here who does any different from that. They don't mean a thing to us, driveway openings. Never did. What is a driveway opening? Anybody who pays more than \$3 for a driveway opening is nuts, positively insane. It is yours for the asking, and if you don't ask for it, go and take it. This fellow who had this big headline, "Vet Beats Shakedown," took the openings. I said that at the meeting of October 28 last year when two other councilors were in a debate as to a gas station in one ward and part of it in another ward. I got up and made the statement, "If anybody wants a driveway opening they are crazy to file a petition for it. Go and take it." Like the fellow in East Boston, walk in and take it. Nobody will stop you. When you go to the proper authorities, they forget it. They don't do a darned thing about it. What are they going to do about, say to the man, "Put that curbing hack again?" That is as much as it means to us. If it comes in here, and the councilor from that ward comes up and says, "I know so-and-so. He wants a driveway opening, and there is no opposition in the neighborhood," we put it right through. The next procedure is this: If the councilor overlooks it and does not care about it, then it is up to the petitioner himself, and if the petitioner comes in and says, "I want a hearing," we give him a hearing. We have one in South Boston where three brothers came in for two driveways openings — this is a few years ago, and I was chairman of the committee — and I said, "Where is the location?" And they told me, and I said, "Why, you people have those openings. I saw it on my way home from the City Hospital." They admitted they took the openings. I said, "Why do you want the permits?" They said, "Just to be covered." They had the openings and they came in and filed for the permits. Now, they want to take this granting of permits away from us. It does not mean anything to me as chairman of the committee. Many a time I wanted all the committees abolished, and most of those on the Council want them abolished. Go over the minutes for the last six or seven years, and I will show you a dozen places where councilors have said, "Let us abolish all committees. What good are they?" How many times have councilors said, "Let us not go into Executive. What is the sense of going out there and wasting time?" The press comes in with us and they get everything we say there the same as everything we have to say here. Why not hold all our business right here? But if somebody wants to take something away from us, I am ready to fight, and they will not take the permits for driveway openings from the Committee on Licenses without a fight. I don't care what the *Herald-Traveler* says. They have stooped to a new low in just today's paper. They gave me a whole page of the *Herald* last year, a whole page. Let us see who that courageous person is, and how he feels about today's meeting. The *Traveler's* reporter said, "What have you got

to say?" I said, "You will hear me the same as the others." He ran out and called the *Traveler* and wanted to know if they could have the notes. I will back up everything I have to say. I have said a lot before the District Attorney that I do not know yet. I said a lot up there, and some people who think they are going to emharrass others are going to find themselves emharrassed. If they want to run to "papa," we will give something to run about. In today's *Herald* in "This Is How I See It," by the famous William E. Mullins — this is the courageous man who started all of this, and they had the piece on the front page every day — "Attention! Any citizen having information of graft or bribery, and willing to relay that information to this newspaper, may get in touch with us with assurance that his name will be held in strict confidence if he desires." That is a beauty. It sounds like the Klu Klux Klan. It reminds me of the old days when my dad used to say as he went down Atlantic avenue and Commercial street and looked at the signs, "Help Wanted. No Irish Need Apply." That is what we are back to, to the old A. P. A. days. At the end of the editorial, William Mullins says, "District Attorney's office made cautious by ruling prosecutors aren't policemen," and so forth. At the end here is this brave, courageous William E. Mullins who is hitting me all over his front pages for the past two weeks in great big editorials saying, "The City Council will assemble this afternoon for its first session since Assistant District Attorney Doyle began his investigation of some Council activities, and it will be surprising if Mr. Jimmy Coffey of East Boston fails to resume his practice of heaping abuse and vilification on those he dislikes." That is from the guy who has been hitting me for the past two weeks all over the paper. When I made the statement here that I will take a huck — who wouldn't? — I didn't say I took a huck. Let them prove I took a huck. They have been trying to, but they can't. I challenge them, and didn't I come out of the D. A's office —

President KELLY—I must insist you talk on the order. You are talking on a point of personal privilege. Councilor Coffey.

Coun. COFFEY—Mr. President.

President KELLY—Councilor Coffey.

Coun. COFFEY—Getting back to this, this is the gentleman who hit me with everything he could hit me with. He has had snoopers over in my ward on five gasoline permits that have been held up, and the *Herald-Traveler* reported, out of the five investigated, the *Traveler* and the *Herald* asked, "Did Coffey have anything to do with it?" and all five answered the same thing, "No, the police captain held them up." That is who held them up, the police captain, the same one who got the story in the paper "Vet Beats Shakedown," the same one, because the man he buys his tires from, who is obligated because of the diner, is a chum of Police Commissioner Sullivan. That is how the story appeared in the paper, "Vet Beats Shakedown," and that is the same captain who gave one permit but who has refused five others, and to the surprise of the reporters who have been snooping over there for the past two weeks everyone of them told the same story, "Coffey had nothing to do with it, the police captain held them up." That is the story they got. Mr. Mullins goes further and says, "There is not much that can be done about this, but District Attorney Foley owes it to the decent members of the Council to extend to them as much protection as he can from permitting any malicious attempt to involve them." He wants the District Attorney to stop me from talking. Now, the first time we have an opportunity to answer the charges, the first time we have had a meeting since two weeks ago Monday, he comes out and quits. Two weeks ago today he says tomorrow I will kick Coffey. But now he quits, he wants me silenced, he wants me shut up. There can only be one reason for that: He is out. He was in for eight years, and now it is hard to take. He is out. They got an Irishman named Curley as Mayor of Boston, so he cannot get in the office, neither he nor Stuart Rand. They have run the office for eight long years and now they cannot get in downstairs, so what do they want to do? Get rid of the 22-man Council? No. They don't care if there are 22 or 44. That is a stall because they know with a 9-man Council they get a City Manager, and they have already picked their man. In an editorial of December 9 of last year they picked Henry Parkman, Jr., to be their City Manager. Brother, are they going

to get in, are they going to get a buck? After I am out of politics I will have to go for a job to earn a living. I know that because I have a gang of kids. They won't. They won't have to go to work. Do you realize when they are in with one juicy tax abatement just on the property they own they can retire? But they don't stop at one, not those big bankers and brokers. They want everything and they are hollering over measly driveways. If any man filed a petition for a driveway and paid more than three bucks, as I said before, he is insane. It is theirs for them to take, anyhow. Under the law he can take up to 13 feet without coming here. Did you read Sunday's *Herald*? There is a great big piece about a \$100,000 shakedown going on in the city by building inspectors. They said businessmen who were being shaken down were afraid of reprisals by city employees. That is a laugh. They are afraid of reprisals by city employees who sneak out at half past ten to get a cup of coffee. They are afraid of that type of city employee who will make life disagreeable for them, because these same shysters and chislers do business with the city. If they want anything, they pay for it under the table. How about these people who own garages and who sell automobiles? Do you know anybody in the business you can go to and buy a car at the real cost? Does anybody know you get it under the table? I don't care who they are, but you pay \$200 over a \$700 car value and you know it, and these are the people screeching. I wish everybody in Boston could have read yesterday morning's Sunday *Post* where they told of specific cases where the people have said, "I filed for a permit and I never got it." I don't know who they are, but they screech murder, they were held up, when, as a matter of fact, they applied last week for a permit and never applied previously for it. Somebody knocked a bag man's teeth down his throat, went back and washed up the place and picked up the teeth. Another man paid a \$400 bribe to an ex-City Councilor and he is now on a \$50,000 bail for rape. They have nice witnesses, they have nice testimony, and, as the *Herald-Traveler* first started saying rumors are flying, I say they are flying that the *Herald-Traveler* are getting these people to give this false testimony. Every damned bit of it is false. They have been all over my ward for the last two weeks, and they have got absolutely nothing, and they won't, I can assure you of that. I am not talking to hear myself talk. Why should I let these papers knock me in big headlines? What have I done? They can't prove a thing against me, not one damned thing. They haven't the guts enough to mention my name, but everybody in the district knows it is me they are referring to. They go over there and snoop and do everything they can, but in the eight or nine years I have been in the Council they cannot find one tangible bit of evidence against Coffey. If they did, they would be up at the District Attorney's office. We know the type they are. Let them go up there. There is just a small piece from the Attorney General. The Attorney General said he is watching the investigation. All right, he is watching. Talking on cleaning up the bookies, on January 27, 1947, and not to go over it all, I was referring to the police, referring to my captain, and telling about how he was getting four bookies a week, and it dropped down to less than one a month. He never could get the dice game in Boston, "the dice game at which it is, nothing to see a thousand dollars pass hands in one night, and I am not kidding you one bit when I say that. I think the police in this room know it. There is a dice game run in my ward four nights a week where it is nothing to see a thousand dollars in circulation, nothing at all." That was January 27. What happened less than two weeks ago? The doorman at the dice game was slashed—this dice game is on the corner of School street and Washington street. The man was slashed across the face by them to gain admittance. The fellow who ran the game was kidnapped; there was a police officer present at the dice game, and he was hit over the head with the butt of a gun and \$40,000 was stolen. That was headlined in the *Traveler* ten or eleven nights ago, and what has happened since? Where is the District Attorney? What has happened to the dice game? What has happened to the man kidnapped? Who robbed the dice game? Who was the cop hit over the head? The doorman was given \$200 by one of the robbers and was told, "Here, go and get your head bandaged up." What

bas happened to the fellow who was slashed? Where is the \$40,000? Who got it? If they want to investigate things, let them investigate something like that. Here is a charge made January 27, long before that dice game was held up. I know it was running, and others do. The cop in there knew it was running. What has happened to it? Where is the Police Commissioner? Where are your so-called proper authorities who prosecute these things? No, they have to come in to the Boston City Council, they have to refer to us as this, that and the other thing for only one rotten, measly, lousy reason—that the men who are running this paper are out, and they are doing everything humanly possible now to get in. They could not get the limousine business from the hotels to the Boston airport so they took the next best thing, the water taxi business. There is an editorial in there on December 9 of last year about that water taxi and that Beekman Fairbank of Cohasset should be given prompt and courteous attention by the Boston City Council. Forget the revenue lost from the tunnel, forget the cab drivers losing their jobs, forget the veterans who drive the cabs, and forget their families, but take care of Fairbank and friends of William E. Mullins and Stuart Rand, who made the connection for him to go to see the Speaker of the House to get the legislation through so that they could take away the powers of the City Council on water service and give it to the Department of Public Utilities, with the Republican Governor there where they can walk in and say, "Give Mr. Fairbank the water taxi permit; we don't want anything more to do with the City Council." What are we supposed to do? Sit back and take it? I wouldn't want my poor dad to turn over in his grave, because he never would sit back. I tried to be a gentleman here two weeks ago, I tried to lay off the fact that the District Attorney was investigating this, but what did it get me? I wanted to wait until it was over. I am never going to forget the *Herald-Traveler* for hitting below the belt. There is not a bit of truth in the statements they have made so far, and that is why I am hitting back at them, and I intend to hit back as long as I live. I was telling Councilor Hurley only the other day before the thing broke that I did not think I was going to come back here again, but I am coming back as long as I live, and I guarantee I will be back and nobody will stop me from coming back, regardless of their rotten editorials, their filthy editorials without any truth in them, and they can quit today, asking the District Attorney, who has no power whatsoever over the members of this Council, to shut Coffey off from vilification and attacking those he dislikes, for attacking those who attack Coffey. I am as forgiving as the next fellow. I have never stopped speaking to a member of this Council after I have left the floor. Councilor Bayley here will tell you that he was for Tobin and I was against Tobin, but he will also tell you now as soon as we went out of the door we were friends. I never have anything against anybody, but I am going to hold this thing as long as I live. There will be cards given out in Boston, there will be radio talks, and we will go into this more thoroughly after this thing is over. They attacked the jury today for finding Langone not guilty. "He is guilty." They attacked the jury. If Langone's name was Fairbank, it would have been all right, they would have been 12 good men and true, but his name is Langone, he is one of the newer races, he does not belong to the elite, so they attack 12 men on the jury for finding him not guilty. That is how low they will stoop to gain their point, and their point, I want you to remember, is this: Get rid of the 22-man Council and you will get rid of the Mayor. Get rid of the Mayor and you will have a City Manager, and then, if there are only nine men in this Council you can bet the blueblood-held *Traveler* will choose the man to be manager of Boston, and then God help the people of Boston, because these people will get back in. They backed Tobin for years—they backed John E. Kerrigan for the year he was Mayor. They are out now, but they want to get in again so that they can get rid of Curley and this is one way to do it. They started this. They want the D. A. to go to the Street Commissioners, they want him to go up to the Building Department, but they cannot prove their charges and they quit in the same paragraph they make the charges, but still they want the District Atto-

ney to go through to find out what is going on in the City of Boston. I say we ought to deserve a lot of credit, we the members of the City Council, and I think you will agree with me. This thing has hit the headlines for two and a half weeks, and what has happened? Four or five charges have been made to the *Herald-Traveler* and to the District Attorney's office, but not one person said he paid money, not one person said he paid money, and that is a pretty good reputation for the City of Boston with a population of 880,000. Let any other city have an investigation. Take any town or take any city one fiftieth the size of Boston and look at the corruption they have there, and then start to analyze it and say four or five charges have been made, but not one man had the courage to say, "I paid a nickel. I did this or I did that. I paid for what I got." Not one. They did not pay for what they got. There is so little up here for the Boston City Councilors that they want to resign. Let them resign. Who cares? Probably it would be a good thing for the Council. Another fact I want to bring out is this, we did not have to go to the District Attorney, we did not have to go up to him, and he could not force us to go up there. He can bring us to court under an indictment, but don't forget we all went up there, every member of this Council went up there, not one reneged. As to these records, I don't think he has a right to take them. I think he would have to get a court order to get them. I am not a lawyer, thank God, and I may be wrong, but they were given to him. They were free, and they are open to anybody who wants to take them any time they want to. The boxes are open and there is nothing locked in there. They are open 24 hours a day, and every day in the year. They are public records, and every word printed here is also printed in the *City Record*, and the *City Record* is sold for 15 cents, and anybody can buy one of those. Well, I can't go too far, but after this is over, I will, you can rest assured of that, but I do want to leave this thought in the minds of everybody. They are stooping to a new low, they have crested, you might say, to a new low, not to get rid of us, and whether Curley knows it or not, I know they want to get rid of him so that they can use that office downstairs, and the only way they can use the office downstairs is to get a City Manager of their choosing, not an Irishman like Jim Curley.

President KELLY—Councilor Coffey asks for the suspension of the rules and the passage of the order.

The order was passed under suspension of the rules.

DRAWING OF JURORS.

President KELLY—The Chair is in receipt of a venire for jurors —

Coun. HANNON—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. HANNON—A point of order, Mr. President.

President KELLY—State your point of order, councilor.

Coun. HANNON—The Council passed a vote that we finish our business before we draw the jurors. I think in fairness to all the others the orders should be considered now.

President KELLY—All right.

ROPING OF STREETS FOR MARATHON RACE.

Coun. BAYLEY offered the following:

Ordered, That the City Messenger be directed to rope off the streets along the route of the Annual B. A. A. Marathon race to be conducted on Saturday, April 19, the expense of same to be charged to the City Council appropriation for Ropes, Flags and Stakes.

Passed under suspension of the rules.

OPINION RE BOARD OF RECREATION.

Coun. BAYLEY offered the following:

Ordered, That the Attorney General of the Commonwealth be requested to rule whether or

not it is mandatory that his Honor the Mayor of Boston appoint a member of the Board of Recreation annually under the provisions of Chapter 451, section 11 of the Acts of 1943, whether or not his Honor must provide a minimum budget for the operation of said Board of Recreation as provided in said chapter 451 of the Acts of 1943, and whether or not a member whose term has expired shall continue as a member until his or her successor is appointed under said chapter 451 of the Acts of 1943.

President KELLY—It is referred to the Committee on Rules.

Coun. BAYLEY—Why is it referred to the Committee on Rules?

Coun. COFFEY—It is illegal.

President KELLY—The Chair questions the legality of the order, councilor.

Coun. BAYLEY—On what grounds, Mr. President?

President KELLY—The Chair questions the legality of the order and the authority of the Attorney General to look into the matter.

Coun. BAYLEY—Mr. President, is it not the duty of the Attorney General to look into an act passed by the Legislature to see if it is being evaded or not? What other recourse have we?

President KELLY—One minute, councilor. You can always go into court, proceed in court, councilor. The Attorney General has refused to intervene in cases similar to this in past years.

Coun. BAYLEY—Mr. President, I ask unanimous consent to make a statement.

President KELLY—Before you ask unanimous consent to make a statement, this order is out of order.

Coun. BAYLEY—I withdraw the request. A point of information.

President KELLY—State your point of information.

Coun. BAYLEY—How may I get a legal ruling on this statute? What is my procedure? The Law Department for seven weeks have refused to give me an opinion on an order passed by the Council. I have been asking for an opinion by telephone, by writing, and by personal contact, and they have refused to give an opinion as ordered by the Council. What do I do next? They say they have six new employees.

President KELLY—You asked me a question, and I am trying to give the answer.

Coun. BAYLEY—What is the procedure when the Law Department will not give me an opinion?

President KELLY—You go into court and ask the court to compel them.

Coun. BAYLEY—I will take that under advisement. Does that mean I have to go to court to try to have an officer do his duty as prescribed by law or what I deem to be his duty?

President KELLY—It depends on your own judgment, councilor.

Coun. BAYLEY—Thank you.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella, for what purpose does the gentleman arise?

Coun. KINSELLA—A point of information.

President KELLY—Will you state your point of information?

Coun. KINSELLA—Will the clerk tell us if there is legally in existence now a Board of Recreation?

President KELLY—I am informed there is, councilor.

Coun. KINSELLA—A further point of information, Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Is it or is it not true that Mayor Curley in 1946, in December of 1946, publicly stated the abolishment of the committee as such?

President KELLY—He made some statement of that nature, councilor, but the Chair is not certain.

Coun. KINSELLA—A further point of information, Mr. President.

President KELLY—Will you state your point of information, Councilor Kinsella?

Coun. KINSELLA—Is there anything in this year's budget for the operation of the Board of Recreation of the City of Boston as established by legislative act?

President KELLY—The Chair understands no appropriation is in this budget for that particular matter.

Coun. KINSELLA—As a city department, it won't be able to function?

President KELLY—There won't be any appropriation. They can function, but there is no appropriation.

Coun. MUCHNICK—Mr. President.

President KELLY—Councillor Muchnick.

Coun. MUCHNICK—A point of information, Mr. President.

President KELLY—State your point of information, councillor.

Coun. MUCHNICK—Is it true under the Charter the Law Department is under no duty to give us an opinion in this particular matter?

President KELLY—One minute, now. Councillor, answering that, any member of the Council can ask an opinion from the Corporation Counsel. The Chair is of the opinion that this opinion is a little late in coming, but it will come along.

RETIREMENT ALLOWANCE OF JOSEPH A. McMANUS.

Coun. HANNON offered the following:

Ordered, That the members of the Boston City Council go on record as favoring the enactment and acceptance of pending legislation authorizing the City of Boston to increase the retirement allowance of Joseph A. McManus.

Passed under suspension of the rules.

FENCING OF NEW HAVEN RAILROAD TRACKS NEAR UPHAMS CORNER STATION.

Coun. HANNON, HURLEY and LINEHAN offered the following:

Ordered, That his Honor the Mayor be requested to direct the Law Department to confer with the New York, New Haven & Hartford Railroad and the Department of Public Utilities relative to the erection of a fence along the Midland Division of the New Haven Railroad, particularly in the vicinity of Uphams Corner Station.

Coun. HANNON—Mr. President, every so often we read in the paper that some youngster in our neighborhood, in the vicinity of Uphams Corner station is killed because of the fact that he is playing upon the tracks. Of course, we are told legally the youngsters have no right to play upon the tracks, that they are trespassers, but children don't stop to consider the law. As a matter of fact, they probably don't know what the law is, but we know full well that there is nothing like forbidden fruit to attract youngsters. No matter what happens, the youngsters are going to play upon those tracks unless some means are taken to keep youngsters off the tracks. In the last few years I think several, four or five children have been killed in the vicinity of Uphams Corner station on the New Haven railroad tracks. The New Haven railroad is investing lots of money in many other things, and I think the best investment it could make would be something for the preservation of the lives of the children in that neighborhood. I have here a petition signed by about 500 people in the neighborhood because of the death recently of another youngster playing on those tracks. I think it is about time we tried to use some pressure on the New Haven railroad to get them to fence in this property. We have tried for years to have them do something but all we get is the old story. We cannot force them, but I think there are ways and means that we can persuade them if we really want to work it out to do something, and I think the time to do it is now. There is that great open space without any guard, without any means of warning. All the kids can depend on is the sound of the approaching train. Going over the tracks is a short cut to the movies. It is a short cut over to the beach, and the kids are going to cross those tracks as long as the tracks are there and there is no fence to stop them, and even if the fence is up, I know one or two kids might run across there, climb over the fence, or crawl under, but as a general rule the kids won't cross it if the fence is up there. As it is now, it almost invites the kids to take the short cut. I hope the city in its wisdom demands through the Corporation Counsel, demands through the Department of Public Utilities, that they get after the New York, New Haven & Hartford Railroad and make them fence in this nuisance, make them

eradicate the invitation to these kids to cross the tracks and make the kids realize that there is danger there even though there is not always a train approaching. That is a line used primarily by the freight service of the New York train and if a youngster gets hit, it is not a question of injury, it is a question of death. This is something constructive which I think the City of Boston might well hend their efforts to perform. I think the city should get in touch with the New York, New Haven & Hartford Railroad through the proper channels to correct this condition out there by erecting some sort of fence. I offer this petition.

(Coun. HANNON here offered the petition reading as follows:

We the undersigned residents of the district bordering on the tracks of the Midland Division of the New York, New Haven & Hartford Railroad Company, respectfully petition that the said railroad be forced to fence off its right of way bordering its tracks, particularly in the vicinity of the Uphams Corner and Bird Street stations in order that the life and limb of the children of this district might be protected.

The petition was signed by James A. Daly and many others.)

The petition was placed on file and the order was passed under suspension of the rules.

ELECTRIC LIGHTS NEAR ST. MARGARET'S HOSPITAL.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to direct the Commissioner of Public Works to replace the existing gas lights on Cushing avenue, Dorchester, near St. Margaret's Hospital, with electric lights.

Passed under suspension of the rules.

ORDINANCE RE GRANTING OF DRIVEWAY OPENINGS BY COUNCIL.

Coun. MUCHNICK and BAYLEY offered the following:

Ordered, That the Corporation Counsel, through his Honor the Mayor, be requested to furnish the City Council with an opinion as to the legality of the ordinance concerning the granting of driveway openings by the City Council.

Coun. LINEHAN—Mr. President.

President KELLY—Councillor Linehan.

Coun. LINEHAN—Mr. President, I would like to ask the gentlemen who filed the order for a re-reading of the order because it seems to me any ordinance passed by the City Council is presumed to be legal until proven otherwise in court. I don't want any order such as this to go up to the Corporation Counsel asking for an opinion on its constitutionality, because I for one don't doubt it is perfectly constitutional unless the gentlemen can get up and prove to me there is some question about it. I don't want it to look as though the City Council is sending up orders with the thought in mind that we will have powers taken away from us because some paper prints it. I want information before voting on the order.

Coun. MUCHNICK—It is just that I want some information, Mr. President. That is why I filed the order. There seems to be some question in my mind as to whether this ordinance under our charter is constitutional. If it is not constitutional, we ought to find out, and if it is constitutional, we ought to find out.

Coun. LINEHAN—Will the gentleman yield for a question?

President KELLY—Do you yield for a question, councillor?

Coun. MUCHNICK—Yes.

Coun. LINEHAN—I would like to ask the gentleman from Ward 14 who decides the constitutionality of ordinances passed by this Body?

President KELLY—Councillor Muchnick, will you answer that question?

Coun. MUCHNICK—I think that can be decided by any one of several groups of people. It can be decided by our Law Department. It can be decided by the Boston Municipal or any other district court. It can be decided by our Superior Court of Massachusetts and again by the Supreme Court of Massachusetts, as the gentleman well knows

Coun. LINEHAN—Mr. President, will the councilor yield for a minute?

President KELLY—Do you yield for another question, councilor?

Coun. MUCHNICK—Surely.

President KELLY—Councilor Linehan.

Coun. LINEHAN—As one attorney to another, I would like to know under what law he says the Corporation Council can decide the constitutionality of a city ordinance. Since when has the Corporation Council become a court?

President KELLY—The Chair will rule the councilor has a right to ask the opinion of the Corporation Council on this matter or any other matter.

Coun. LINEHAN—Will the gentleman agree with me the Corporation Council cannot actually decide whether an act is constitutional or not, relative to a city ordinance? He can express an opinion, but he cannot decide whether or not it is constitutional. Do you agree with me on that?

President KELLY—The Chair is going to rule he is the chief legal adviser of the city and he has the right.

Coun. MUCHNICK—Mr. President, I am perfectly willing to agree with the gentleman from Ward 7 that the opinion of the Law Department might not be the final authority and that, until such time as the Supreme Court of Massachusetts has passed on it, there is no completely final decision in the matter, but it seems to me where we have a Law Department which is capable of rendering opinions and, in my opinion, good opinions, we ought to take advantage of that and find out if the ordinance is proper or improper, and if in the past we have been operating under an improper ordinance. I have no objection to this not being passed now but its being sent to the Executive Committee for a discussion with the Law Department at that time.

President KELLY—Does Councilor Linehan make that motion, to refer it to Executive?

Coun. LINEHAN—I don't make it.

Coun. KINSELLA—Mr. President.

Coun. KINSELLA—I did not hear the paper read, Mr. President. May I hear it read?

President KELLY—The clerk will kindly read the order.

(The order is read by the clerk.)

President KELLY—The question now is on referring this matter to Executive Session.

Coun. COFFEY—Mr. President.

President KELLY—Councilor Coffey, talking on the reference to Executive Session.

Coun. COFFEY—Mr. President, I would like to ask the two gentlemen who introduced this order if they would like the powers taken away from the Committee on Licenses, if that is their motive.

Coun. MUCHNICK—Mr. President, I have no desire to have any powers that are properly and legally conferred on the City Council under its charter taken away, but I want to make sure all the powers that we exercise in this Body are ours properly under the charter and in accordance with the law.

Coun. KINSELLA—Mr. President, a point of information.

President KELLY—State your point of information.

Coun. KINSELLA—Do I understand correctly that the present powers of the License Committee in this matter were established in 1938 by an act of the Council?

President KELLY—That is right, councilor.

Coun. KINSELLA—A further point of information, Mr. President.

President KELLY—Councilor Kinsella, will you state your further point of information?

Coun. KINSELLA—Is there anything in the record that questions the legality of the ordinance, under which powers were vested in the Committee on Licenses? Was there a legal opinion sought at that time as to the validity of the action of the Council?

President KELLY—The Chair is not aware of any, councilor.

Coun. KINSELLA—Will the Chair instruct the City Messenger to check on the creation of that power as of 1938?

President KELLY—The Chair will rule, no matter what was done in 1938, this order is in legal form. The question is now on referring this matter to the Executive Session.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Will the Chair instruct the City Messenger to find the date on which that change-over was accomplished in 1938, and he can see if there was any subsequent opinion sought?

Coun. HURLEY—The motion before the Body is reference to the Executive Session, councilor.

Coun. KINSELLA—I am going to oppose sending this to Executive. There is so much talk about whispering and meeting in corners. If there is going to be any talk on this matter, have it before the public here so that they can listen. Don't go into any corner and discuss things as if we were afraid to let the people visiting City Hall know what is going on. You hate this talk of secrecy and pointing of fingers. What I am referring to is an editorial appearing in the Boston *Traveler* Friday, March 21, and, may it please the President, I would like to read it:

"Revoke This Ordinance. In 1938, the Boston City Council took from the Public Works Commissioner the power to grant sidewalk permits and since has controlled the issuance of all such permits. We" — I don't know who he means, but, as I stated a month ago, the man writing an editorial for a newspaper will sit in a little dingy cubbyhole of a newspaper office and when he pulls out the electric light he can't see his hands. He is trying to foist his opinion on the people of Boston, trying to force them to see his way.

"We believe" — meaning he believes —

"the City Council usurped this authority and has been exercising it illegally for more than eight years. Each councilman has been made a little czar of his own district with power to block a building project, no matter how important."

Ridiculous! We have not got final power in this. Everything we pass has to have the authority and O. K. of the Mayor of Boston. There are people who read the papers who are not versed on municipal government who think we do things up here, and that is all there is to it. Further reading this editorial:

"Charges of graft and shakedowns inevitably resulted, leading to the present City Hall scandal and the investigation being made by the District Attorney's office. The City Council meets Monday."

"We," it said, not "I."

"We call on the City Council to act immediately on Monday to revoke this ordinance and restore the authority over sidewalks to the Public Works Commissioner where it belongs under the City Charter."

Get this paragraph. If that is not a blackjack, Mr. President! This same man, whoever he may be, could come in to the Boston City Council and ask for some permit, some authority, that might be most obnoxious to all the people of Boston, introducing an order on Monday asking for this authority — he can sit down in his little cubbyhole and write this and, if it is not passed, watch the men who voted against it. If that is not a blackjack, if that is not terrible, to think that one man can blackmail and coerce and browbeat and frighten a body of men elected by the people of Boston. Read the last paragraph in this:

"The people of Boston, we are certain, will be eager to discover which of the Councilmen dares to defend this ordinance or attempts to retain it."

As the councilor from Ward 1 (Councilor Coffey) so ably stated, these permits for sidewalk openings are nuisances. As long as this bludgeon and blackjack is put on me, meaning if I vote against it I am dishonest, I am voting against it and, Mr. President, I am asking the members of this Body, don't send this to Executive, when these witnesses upstairs will be on their way home while we go in there for a secret session for two hours, and then we come back, of course, and they are gone. Have it out here on the Council floor.

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linehan.

Coun. LINEHAN—Mr. President, during the last two or three weeks, I think every member of this Council has taken an awful lot of abuse without any exception. It seems to me this order right now that I am talking on should be the end of it all. Some of us, whether rightfully or wrongfully, think that probably everything said relative to the so-called investigation by newspapers in every case are probably stories that will finally come out, but it is a terrible thing, we have to wait and wait and wait, and listen and listen and listen, and look and look and look. After a while you wonder, my God, what is this all about. As one member of this Council and having served in the Legislature for

years — four years to be exact — I sincerely think that there are many decent men in this City Council, as many as in any governmental body in this country. I say this, having served in the Legislature, and I have heard certain officials in the Legislature or the Attorney General or certain newspaper writers hitting certain councilors for this or that. After a while, I wonder if we are in America and whether we are entitled to have a jury to decide whether we are dishonest. After all, reputation is a funny thing. When you see people and watch them looking at you with a kind of smile, you start to blush and you wonder what you are blushing for, and it might be because of what you fear other people are thinking about and it might not be the truth. You feel like shouting to the high heavens, but you don't, you kind of grin back that little smile which, frankly, none of us like to give out. On many an occasion during the last two weeks I have felt like punching somebody on the jaw. They will say, "Well, we know you are not involved." Of course, behind your back they are liable to say that to every councilor in here, and behind your back they are liable to say, "What a crook that guy from Ward 7 is." What happens? As the gentleman from Ward 1 (Councilor Coffey) said, they are investigating Coffey, and I say this realizing several papers probably said, "Linehan is all right," but that is just their opinion; they still don't know what I do or what I have done since holding public office. After all, reputation is what people know you to be, what the papers say you are. Character is what you are and, thank God, nobody in this city can assail the character of the gentleman from Ward 7, and I hope the character of any other member of this Council, but it is an awful thing that we have to stand and listen and just look and kind of hold yourself back and not tell people what you think about what they are thinking or what they are saying. They sort of smile, so you kind of smile back. You want to forget who you are and say, "I don't feel like talking to you any more," but you hold off. Coming down to the order specifically, the gentleman from Ward 14 (Councilor Muchnick) asks the Corporation Counsel to rule on the legality or the constitutionality of this particular statute. Bear in mind that I, with a lot of other councilors, don't care what happens to this particular ordinance. It can go out of the window as far as I am concerned, but I almost forgot to say what I started to tell you, that not only has Ward 1 been investigated but Ward 7 has. I mean, the newspaper men and newspaper women have not only come into Ward 1 but into Ward 7. Unfortunately, the newspapers don't print the good things they find. I don't see any good thing printed at all, and it is a terrible thing, isn't it? It seems to me newspapers like to talk about everything bad, about everything but what is good, and I say this realizing during the last week it has gotten so bad and it is becoming so bad that even the priests throughout the City of Boston have gotten up and said that all you read in the papers is scandal, divorce, vice, bribery. I don't mean in the City Council, but in Worcester and in Philadelphia, and I suppose you might have it with Stalin, you might have it all over Europe. You probably have it in China, but to listen to the papers you would think it was only in the City Council as far as dishonesty is concerned. Might I say that I think there are as many honest men in this Body as in any group in public office in the nation? When I say that, you don't want to forget it is only this Body that is really getting the spotlight put on it, and all they have so far is what they have shown with all the investigations going on. Frankly, there is not even any smoke as far as I can see. Now, some months ago I filed an order asking the Corporation Counsel to rule as to the rights and duties of the Boston City Council and the members of the Boston City Council, and I can remember specifically requesting the legality of whether or not the City Councilors could get information on the number of employees hired by the city for whom the City Council appropriates money, and at that time the answer from the Corporation Counsel was that it was not within the jurisdiction of the City Council. As a lawyer, I differ with the Corporation Counsel, but he is still the same Corporation Counsel. I think during the week I read in the newspapers where the Mayor wanted to take this power away from the City Council. After all, I don't think we were born yesterday, I don't think the present Corporation Counsel is going to rule

adversely against his Honor the Mayor. The Mayor does not want the authority here, and I don't know as the Corporation Counsel would give us an unbiased report as to whether or not in his opinion this particular ordinance is constitutional. I think if he were to answer correctly, the only way we can find out the constitutionality is to go to the court. I think the gentleman from Ward 14 knows that, so why throw something he knows has no business up before the Corporation Counsel? If he actually wants a real answer, why doesn't he go to the court? The gentlemen from Wards 5 or 4 or 22, and myself, would eventually have gone to the court in the matter if we thought enough of it in that particular case. I don't think enough of it to desire to go to the Supreme Court and finally find out what the constitutionality of a certain matter involved in the city government is. It was not important enough for me to go up there and if the gentleman from Ward 14 thinks, after serving in this Body for, I believe, four years, if he thinks now after working as a councilor that this act is unconstitutional — and he is a learned gentleman, and I really sincerely think a learned lawyer and a capable one — he has finally found out, as a result, I suppose, of reading the *Traveler* or whatever other paper it is that it isn't constitutional, and frankly I don't care whether or not the *Traveler* or whatever paper says on this or that, then he should take it to the courts. We all like compliments, but no matter what any paper says about the gentleman from Ward 7, I am not worrying about it, because they cannot say anything bad that has any backing or facts behind it. The gentleman from Ward 1 said they investigated his ward. They were over in my ward checking, too. After awhile it kind of gets under your manhood, you feel like getting up here along with the gentleman from Ward 1 to express an opinion, but we have no other way to do it. We don't feel like writing stories to the newspapers, and this is our only avenue of getting out what we have in our minds. I really and truly hope the gentleman from Ward 14 will withdraw this order. I think he feels in his own mind that there is nothing that will come out of this because, no matter what the Corporation Counsel says, it has no effect on the ordinance, and if he thinks so, I will yield to him to have him explain how it will have any effect on the present ordinance. Will it have any effect whatsoever? Will it abolish it if the Corporation Counsel says in his opinion it is unconstitutional? I pause for an answer from the gentleman from Ward 14.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—Mr. President, the opinion of itself might not serve to abolish the ordinance, but that opinion, whatever it happens to be, would either leave the ordinance on the books or it would be the basis of a new ordinance repealing it.

Coun. LINEHAN—Mr. President, as a matter of fact you don't have to decide an ordinance is unconstitutional to amend it. There is nothing stopping the gentleman from Ward 14 from coming right out with it and filing a new ordinance. What is the matter with that? Frankly, I get tired of this beating around the bush. If you are looking for something, come out with it, I want to know what this is all about. If the gentleman from Ward 14 can accomplish something like he says, if the Corporation Counsel says in his opinion it is constitutional, all right. What if he says it is not constitutional? What will he say? I pause for an answer. I would like to know what he is driving at.

Coun. MUCHNICK—If this ordinance is constitutional and properly administered, I don't want to see any powers taken from the City Council, but if there is any opinion from the Law Department that this ordinance is not constitutional, I want it off the ordinance books.

Coun. LINEHAN—Mr. President, I would like to ask the gentleman from Ward 14 if during his tenure in the City Council he has always agreed with the opinions of the Corporation Counsel?

Coun. MUCHNICK—Frankly, Mr. President, I don't remember whether I have always agreed with him or not. In the main, I have found all the members who have held the post of Corporation Counsel in my time able, honest men who gave good opinions to the best of their ability. I don't remember whether I agreed with all of them.

Coun. LINEHAN—Mr. President, may I say to the gentleman from Ward 14 that I think just as much of his legal opinion as that of the present Corporation Counsel. If he got up and said in his opinion this is unconstitutional, I would suggest to

him that he file an ordinance abolishing this, or file an order abolishing it.

Coun. MUCHNICK—In the first instance, Mr. President, I would like to thank the gentleman from Ward 7 for his compliment. In the second place, I would not want to give any legal opinion on this matter or any other matter without making a complete study of it. It seems to me under section 5 there is some question. I would have to run down all the cases and the cases might very easily point one way or the other. I don't feel it is within my particular province to run down the cases because I think that is the job of the Law Department, and that is the reason I introduced the order so that they will do the work for which they are holding office.

Coun. LINEHAN—I think the gentleman well remembers, if I remember correctly, that he was one of those who voted to find out from the Corporation Counsel whether the City Council has the right to get information relative to the number of employees employed by the city, and I sincerely hope the councilor from Ward 14 did not agree with the Corporation Counsel at that time, that that did not come within our jurisdiction. I might cite that one instance, and I might say that some years back we had a Corporation Counsel—it was not construing an ordinance but construing the George Robert White Fund Will—for the benefit of the gentleman from Ward 14, the Corporation Counsel at that time ruled the funds of the George Robert White Will could not be used for recreational centers. It has finally come down from the Probate Court that that fund could be used for recreational centers. I have shown that even if the Corporation Counsel said in his opinion it is unconstitutional, he could very well be wrong in his judgment and decision and if we went ahead and changed it because of that, we might be doing it. If the courts said it was wrong, then I for one would gladly join with him to abolish it. As a matter of fact, I might vote for the abolishment anyhow, but I don't want it done this way. I would like to see him come right out in the open, and if the councilor says it is no good—

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. MUCHNICK—Will the gentleman yield for a couple of questions?

Coun. LINEHAN—For as many as you want to ask.

Coun. MUCHNICK—If there is not any particular point in asking for such opinions of the Law Department, I would like to know why the gentleman from Ward 7 asked for one concerning city employees several months ago.

Coun. LINEHAN—Mr. President, I would like to say to the gentleman from Ward 14 that I thought I might get what I wanted, but unfortunately, the answer was not what I wanted. I did not agree with it, so my only recourse was to go to the Attorney General or to the courts. And, frankly, I did not have enough interest to go that far. That is about the size of it. If I had had enough interest and I thought it was important enough for the taxpayers, I suppose I would have gone that high, which this gentleman can still do.

Coun. MUCHNICK—One more question, Mr. President. What harm would there be if we have a competent legal staff running down the cases and giving an opinion to which we can agree or not agree concerning the validity of this ordinance?

Coun. LINEHAN—Might I say this, Mr. President? I thought I said during my discussion of this affair that you can get kind of tired looking around and listening to different people, and different people looking at you with smiles and what-have-you, and not saying things you feel like saying, answering other than the way you do. This is similar to it, no different. If I had my way, I would rather see this coming in after all this so-called investigation is over. That is my little thought on the matter. I don't think this is the proper time, but let us wait until we see who is guilty, if anybody, and after everybody has had his day in court. Isn't that fair, Mr. President? I got up here and probably I am leaving myself wide open, but I have gotten up feeling it was the right thing to do, and every time I feel I should speak, regardless of what it is, regardless of what newspaper writers or who it may be, I do. I sincerely hope this order is not passed at this time, but after the investigation I will be only too glad to vote for it, even vote to get rid of the sidewalk openings, but I think it should be done in good taste after a decision has been reached.

Coun. BAYLEY—Mr. President, I hope this order is passed today. I am opposed to referring it to Executive Committee. If we are going to have that ordinance on our books, we have a right to know whether it is legal or illegal. While the opinion of the Law Department does not have the force of law similar to a decision by a court, nevertheless, it has some force and we have the right to depend on the legal opinion of the Law Department. If we did not agree with it, it could later be taken to court. If the Law Department should rule this ordinance is illegal, we have then exceeded our powers, for one will make a motion that the ordinance then be repealed, but we have a right to know whether or not we are acting legally or illegally. I don't want as a councilor to exercise powers which don't belong to us. I don't favor talking behind closed doors, I am perfectly willing to discuss it here. I don't see any reason why the Law Department is not competent to decide the question, it is one of their responsibilities, and we have the right to refer to them, to ask if in their opinion it is legal or illegal. We have a right to consider that opinion, and if we do not agree we can go to court. The distinguished gentleman from Ward 7 (Councilor Linehan) has suggested taking it to court now. It takes quite a while to get a court decision.

Coun. LINEHAN—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. LINEHAN—Will the gentleman yield for a question?

Coun. BAYLEY—I will, gladly.

Coun. LINEHAN—How long has he waited for decisions on his order relative to the Board of Recreation?

Coun. BAYLEY—Seven weeks. You often wait much longer than that for court decisions. I hope this being a matter of importance, perhaps of more importance than my Board of Recreation order, the Law Department will act shortly. I think seven weeks is less time than we can hope for a decision from the courts. I hope this order is passed today and not referred to Executive.

Coun. MORIARTY—Mr. President.

President KELLY—Councilor Moriarty.

Coun. MORIARTY—I move this order be laid on the table.

President KELLY—Councilor Moriarty has made a motion to lay this matter on the table. All those in favor say "aye," those opposed, "no." The Chair is in doubt. Those in favor, please stand. Those opposed? The motion to lay on the table is lost.

Coun. SULLIVAN—Mr. President.

President KELLY—The question is in reference to the Executive Committee.

Coun. SULLIVAN—Mr. President, first I would like to ask through you of the City Clerk, Mr. President, on ordinances being passed by the Body, do they go to the Corporation Counsel for approval as to legality and so forth before the Mayor signs them?

President KELLY—I am informed occasionally if the Mayor is in doubt as to the legality of the ordinance he will send it to the Corporation Counsel.

Coun. SULLIVAN—Can the City Clerk inform the members here now on this particular ordinance now before the Body, would that have been questioned and would it have been sent to the Corporation Counsel?

President KELLY—The City Clerk does not recall that in 1938 the Mayor sent it to the Corporation Counsel, councilor.

Coun. SULLIVAN—Mr. President, being a member of this Body, I have been under the impression and been led to believe that the Corporation Counsel passes upon all ordinances being passed by this Body, to see if the ordinance is in a proper and legal form. If that is so, back in 1938 when the so-called ordinance was supposed to have been put into effect, at that time the Corporation Counsel was a gentleman from Ward 5 by the name of Henry Parkman and if he at that time passed upon it and the Mayor signed it, I don't see why the Corporation Counsel at this time should be asked to give an opposite ruling to that given back in 1938. Regardless of the ruling of the Corporation Counsel, I for one am going to vote against this order here today and vote against any repeal of this ordinance at any time while I am a member of this Body. I for one am not going to be blackjacked by the Boston Herald-Traveler or any other paper to persuade me to vote against something that I don't believe is right. Mr. Presi-

dent, I hoped I would not have to take the floor here today, but the Boston *Herald-Traveler* is trying to bludgeon at least twenty members of this body as Councilor Coffey has well brought out. What is this Body made up of? What nationality? It is rumored around the town that the Boston *Herald-Traveler* has imported a new editor into the City of Boston from New York, and it has been further rumored, Mr. President, that this same new editor was driven out of the state of Georgia because he was a member of the Klu Klux Klan and now, Mr. President, let them put that in their headlines if they dare to, but that is the rumor, Mr. President. They know and we know people are gullible for news, and it has been brought out by the gentleman from Ward 7 (Councilor Linehan) they will never print one good word about the members of this Body or about anything. It is always the bad side. They are getting their information now by going from ward to ward and it did not surprise me one bit here today when I read that editorial last week in the Boston *Traveler* who the two men were who would introduce such a motion here today. The strings were pulled, Mr. President.

Coun. LINEHAN—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. LINEHAN—A point of order.

President KELLY—State your point of order.

Coun. LINEHAN—I object to a member of the Council saying that strings were pulled or to statements about the motives of any councilor.

President KELLY—The point of order is well taken about impugning the motives of other members of the Council. Councilor Sullivan.

Coun. SULLIVAN—Mr. President, what other reasons can you interpret as to what did happen here today? Why didn't they do it last week or last year? It only appeared in the *Traveler* last week and this is the first meeting. What can you believe? There is nothing left to the imagination but to believe the statement I have made about the two gentlemen. Are they seeking endorsement for higher office at the expense of the other twenty councilors?

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linehan.

Coun. LINEHAN—A point of order.

President KELLY—You can't impugn the motives of any member of the Council. If you do it again, councilor, I will rule you out of order.

Coun. SULLIVAN—I am sorry, Mr. President.

In the last two weeks there have appeared big headlines castigating the members of this Body, and you can't take the floor to defend yourself, defend yourself from the two men here, one of them probably responsible for what happened in the newspapers, in particular the *Herald-Traveler* in big headlines on the front pages. If we cannot impugn the motives, we might as well hang up. It seems to me every time I take the floor, I am out of order. Why don't they get on the floor here? Why aren't they honestly telling the true and real reason why they put in such an order here today? If they were men enough —

Coun. LINEHAN—Mr. President.

(The President struck the gavel.)

Coun. LINEHAN—A point of order, Mr. President.

President KELLY—Councilor Linehan, state your point of order.

Coun. LINEHAN—Mr. President, I think most of the councilors do get over-excited, but they do not impugn the motives of any of the councilors. I am sure I don't abuse the rules, and I don't like to see any member abuse them. That goes for the gentleman from Ward 9 (Councilor Sullivan) as well as any other councilor. I hope you assert the rules.

President KELLY—Councilor Sullivan, you can't impugn the motives of any member of the Council or I will have to rule you out of order. Councilor Sullivan.

Coun. SULLIVAN—It is a fine thing when the Boston *Herald and Traveler* can impugn the motives of the Council here. These two gentlemen are both lawyers. As I said here two weeks ago, when this thing was under investigation, not to pass it, and I think it is proved that that was the proper thing to do on this here, the same thing under investigation, and they want to bring it out here. Why don't they wait until the investigation is over? They want to impugn the motives. I think we are all entitled to that right, to impugn the motives of others, and I hope, Mr. President, when this investigation is over,

this thing will be thrown wide open and we will have more to say about the whole matter.

Coun. COFFEY—Mr. President.

Coun. MÜCHNICK—Mr. President.

President KELLY—Councilor Coffey.

Coun. COFFEY—Mr. President, well, I was glad to hear Councilor Linehan take the stand he took today. I am thankful to him for the stand he took. I had the pleasure of sitting in the next seat to him at the Legislature, and there is no finer fellow you could have. I said it before. I said it before he went in the service, and I said it when he came back, and the people of his district have re-elected him. I say that about most of the members of the Council and I only use that word, "most", because of the fact that I wanted to make a further statement as to the councilors who have been repeatedly elected to office. The others, time will tell. Of course, with the job they have done up here, I imagine they will be around for a long time to come. I am thankful to Bob for taking that stand. There is no doubt in my mind this order should not be here today, it is too bad it was introduced today, especially when I have the paper in front of me that says "Council Czar for Driveways." In my opinion, this is only adding fuel to the fire. This should have been held up for some time, until after the so-called charges are proved or disapproved, then we could bring that in here or any other matter and thresh it out without any gag rule. It does say in the Boston *Traveler* of Friday, March 21, "Revoke this Ordinance. In 1938 the Boston City Council took from the Public Works Commissioner the power to grant sidewalk permits and since has controlled the issuance of all such permits; We believe the Council usurped this authority." It goes on to say, "Each Councilman has been made a little czar of his own district with power to block a building project, no matter how important." Of course, we know that is a deliberate falsehood. What have we to do with building projects? We have nothing whatsoever to do with building projects, all we have to do is act on these driveway openings. As Councilor Linehan, said, it is bad taste to bring this thing in today, that is right. It says, "We," the Boston *Traveler*, "call on the City Council to act immediately on Monday to revoke this ordinance." "We." How did they know there was going to be an order introduced today to revoke this ordinance? I think that is a fair question. That is not questioning anybody's motives.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella, for what purpose does the gentleman arise?

Coun. KINSELLA—I would like to answer that question of Councilor Coffey's.

Coun. COFFEY—I yield.

President KELLY—Councilor Coffey, if you yield for an answer, you automatically turn over the floor to Councilor Kinsella, you lose the floor.

Coun. COFFEY—I lose the floor, and when Kinsella yields, he yields to Councilor Coffey, and I take the floor again.

Coun. KINSELLA—I intend only to answer his question.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—On the night in question, I read this editorial in the *Traveler*, because I get three papers every night, I want to know what the other side is, and there was a continued news article from front page 1 onto the page next to the editorial page; in other words, the news item started on page 1 and continued, let us say, for instance, to page 28, and at the bottom of that article it said substantially what the editorial already said, but it said in the last paragraph that at least a couple of members of the City Council are prepared to offer such an order Monday, so that in two distinct places in the paper, one in the editorial comment and one at the tail end of the continued news item, they make reference to the subject matter of the contemplated ordinance, but who the men are, of course, I don't know.

Coun. COFFEY—Does the councilor yield?

Coun. KINSELLA—Yes.

President KELLY—Councilor Coffey.

Coun. COFFEY—Mr. President —

Coun. COOK—Mr. President.

President KELLY—Councilor Cook, for what purpose does the gentleman arise?

Coun. COOK—The floor.

President KELLY—I have already recognized Councilor Coffey.

Coun. COOK—I thought you were in debate as to whether Councilor Kinsella yielded.

President KELLY—If I had seen you on your feet, I would have recognized you before Councilor Coffey.

Coun. COOK—You can't without looking around, Mr. President.

President KELLY—Councilor Coffey.

Coun. COFFEY—It says here in the *Herald* the building projects, but we have no control on that. "Charges of graft and shakedowns inevitably resulted, leading to the present City Hall scandals and the investigation being made by the District Attorney's office. The City Council meets Monday. We call"—they call—"on the City Council to act immediately on Monday to revoke this ordinance and restore the authority over sidewalks to the Public Works Commissioner where it belongs under the City Charter." Of course, there is no need for me to read the last line there. What I am getting at is this. In the headlines last Wednesday in the *Boston Traveler*, "Council Czar for Drive-ways," they admit the law gives the Council control over permits, there is the answer right there in the *Boston Traveler* on the front page, "Law Gives Councilmen Control Over Permits." All right. Some of us are not going to be put in a bad light and some of us in a good light. If we are going to be put in a bad light, the whole twenty-two will be in the same light or none. We are czars, according to the *Boston Traveler*. I told you in my opening remarks that driveway openings meant nothing to the Committee on Licenses, and they don't. I told you if a councilor wanted a driveway opening in his ward, he approaches the chairman, who polls the committee, and we throw it through. Councilor Muchnick did that today, there is a sidewalk opening in his ward, and it was sent today to the Committee on Licenses. He asked the Clerk of Committees to get me to approve that, I polled the committee, and we have already approved that, and I am waiting for you to recognize my Committee on Licenses. This will be passed, and it must be important if it has to be passed today without hearing, unless the councilor wants to wait. In the event this goes through, if he wants to wait seven or eight weeks until the decision is made by the Law Department, it is all right with me; otherwise, I will put it through today.

Coun. COOK—Mr. President.

President KELLY—Councilor Cook, not having spoken.

Coun. COOK—Mr. President, I had hoped even though I agreed with the councilors that have spoken, that we would have no talk as you two weeks ago stated, involving the so-called investigation. However, the order put in by the councilor from Ward 14 is an order that ought to pass through without any debate. I don't think his motives should be impugned, and neither should the motives of anybody else; therefore, to make this order of his one that would be passed as it should be passed, as other orders that came in before, I move an amendment, sir, that the Corporation Counsel give an opinion as to the constitutionality of all ordinances.

President KELLY—The Chair regrets he cannot accept that amendment as an amendment because it is all-embracing. The Chair will suggest also that the councilor write that order separately.

Coun. COOK—Do I understand the objection to it is the fact that it is oral instead of written?

President KELLY—No. It is all-embracing, councilor.

Coun. COOK—Mr. President, if I may talk on that ruling, I can make that amendment more specific.

President KELLY—Councilor, I made that ruling because your amendment asked the Corporation Counsel to make an investigation that will take, in my opinion, one whole year.

Coun. COOK—I have no feeling one way or the other about it, whether it takes 20 years or not. It seems to me it is up to the Corporation Counsel to decide that and not the City Clerk.

President KELLY—The Chair would suggest that the gentleman submit a separate order.

Coun. COOK—If I may, Mr. President, I will limit it, that the Corporation Counsel give an opinion as to the constitutionality of all ordinances passed since 1944.

President KELLY—The Chair will accept that as a motion after this order is disposed of.

Coun. MUCHNICK—Mr. President.

Coun. COOK—Mr. President, I am sorry, but in order to include the ordinance I should have said 1938.

President KELLY—That is right.

Coun. COOK—I don't understand why an amendment has to wait until the order is disposed of.

President KELLY—I thought you would make that a separate order.

Coun. COOK—No, sir. I am changing my amendment to all ordinances passed by the City Council since 1938 to be ruled upon as to their constitutionality by the Corporation Counsel.

Coun. MUCHNICK—Mr. President.

President KELLY—Wait a minute, please. The Chair will rule the amendment is in order. Councilor Muchnick, talking on the amendment.

Coun. MUCHNICK—Talking on the amendment and on the general order, but if I may, there are certain things that should be cleared up and can be cleared up very quickly. There has been some question raised as to why I did not introduce this order before today. The answer is very simple, Mr. President. I think the question was raised this past week, and I never thought of it until the question was raised. I gave it some thought, checked it with the charter, and found that there was a real question and, therefore, have introduced the order so that we can get a good legal opinion as to whether or not the ordinance is a correct one or an incorrect one. There has been a question raised as to how the *Traveler* or the *Herald* knew this was going to be introduced today. The answer to that is just as simple: they telephoned me and asked me, and I said I intended to introduce it today. There is nothing at all mysterious about either of those things. There has been a statement made in the last few minutes by the chairman of the Committee on Licenses that a driveway opening in my particular ward was asked about by me of the Clerk of Committees, and that the Clerk of Committees consulted him. That happened because I received a letter from a constituent in the ward stating that he had applied for a driveway opening and asked me to check, and I was attending to it. I am very much surprised, Mr. President, that there is all this fuss and tumult about a perfectly simple order. The order asks only for an opinion from the Law Department. That opinion will either state that the order is valid or that it is invalid because constitutionally it violates the City Charter. If it states it is invalid, we may have to repeal it or disregard it. If it states it is a valid ordinance, we can go on from there. Those in this Body in that event who wish to introduce an order repealing it would have their chance, but there is no point in taking the second step before the first step is overcome. There is also some question raised about the secrecy of the Executive Committee. The only purpose for which I moved this go into Executive Committee was that we would have the Corporation Counsel down there at that time, whether it be today or next week or the following week, to tell him what we wanted, and possibly answer any questions we might put to him in order for him to form a groundwork on which to work, and then proceed from there. This entire air of mystery and suspicion that has been created here is merely a red herring, it has absolutely nothing to do with the order.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase, not having spoken. The question comes on reference to the Executive Committee.

Coun. CHASE—I have paid careful consideration, Mr. President, to the question before us, and I realize as a lawyer our powers are rather limited, that they are limited by the charter given to us by the Legislature, and I realize, sir, certain administrative duties, so-called, are supposedly to be carried out by his Honor the Mayor or some of his department heads. I, sir, with Councilor Henry Shattuck and Councilor Robert Gardner Wilson, Jr., and other councilors, adopted this ordinance back in 1938. There was never any question raised until this recent scandalous talk in the newspapers. Now, it has been raised, and I have given careful thought to it, and there may be reasons to believe that possibly the City Council is exceeding its authority. With that view in mind I am inclined to vote in favor of asking the office of the Corporation Counsel for a legal opinion. However, sir, there is one thing that

bothers me tremendously. This entire question before us has come about because of rumors and scandalous talk pertaining to the Boston City Council. It is regrettable that this Body is passing into disrepute by such rumors and discussions. I for one do not intend to remain silent. We have a question before us today as to whether or not we have been acting legally under an ordinance passed in 1938, and assuming we have been acting illegally, assuming, sir, this power should be taken away from us, to whom will it be given? Will it be given back to the Boston Street Commissioners when they, sir, are under indictment as much as any member of this Boston City Council? They are compelled or will be compelled to go before the District Attorney's office, and there have been just as many rumors of graft and corruption in the Street Department, over which the Boston City Council has no control, as there has been about the City Council. I read in the newspapers, sir, a few days back where his Honor, James Michael Curley, who suddenly sir, has been vested with a feeling of honesty so that he, too, is going to recommend taking the powers away from the City Council. Bear in mind, sir, the gentleman downstairs is not only under an indictment, but he was ordered by the Superior Court Justice to repay to the City of Boston \$40,000 because of a corrupt act that he performed as Mayor of the city and he, sir, in my opinion today is disqualified from holding office. The man downstairs—

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Chase, we are talking on referring this matter to the Executive Session. I am going to ask you to stay on the subject matter, or I will have to rule you out of order.

Coun. CHASE—Mr. President, I believe I am speaking on the subject matter. His Honor the Mayor last week said he was going to do what he could to take away that power from the City Council. I, sir, in view of the fact that his Honor the Mayor has indirectly stated that the Council apparently has been acting wrongfully, have that right to challenge his authority. I say, sir, under the General Laws, 268, the Attorney General through a writ *quo warranto* can test the man's authority downstairs—

President KELLY—I am going to ask you to stay on the subject matter. If you go off once more, I regret I will have to rule you out of order, Councilor Chase.

Coun. CHASE—Mr. President, apparently the public at large and I think the whole Commonwealth and throughout the whole nation by today, sir, believes that your entire city government is corrupt instead of not only the Mayor's office, but your City Council. I as a member of the city government do not intend to stand idly by and have my good name challenged. I, sir, have always spoken my mind, and I say, sir, that the Republican Attorney General Barnes should question the man's right downstairs to hold office. There have been more wrongdoings under his administration than any of this picayune propaganda and talk you have heard about in the last two or three weeks in which the City Council—

Coun. HURLEY—Mr. President, I don't think he is talking on the order. He is talking about the man downstairs being accused like we have been accused, but nothing proven against him.

President KELLY—Councilor Chase.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase, the matter before us is to refer this matter to the Executive Session and the Chair is going to insist that you confine your conversation to that subject.

Coun. CHASE—Mr. President, again, sir, may I remind you his Honor the Mayor for some reason decided that it pays to apparently look honest before the eyes of the public, so he initiated this move to take the power away from the Council and give it to the Street Commissioners. I am a member of the city government, a City Councilor, and I challenge anyone to show any act of mine has been wrongful in my ten years of tenure in office, and I say to you, sir, I have a right to question his Honor the Mayor when he questions me, and I say that I am holding office legally and that he is holding office illegally, that he is not qualified under the General Laws to hold office, and that the Attorney General, instead of investigating this Body, long before should have ousted him from office. Mr. President, the things they have accused us of have been picayune to the millions of dollars of larceny that have taken place in the last fourteen months—

Coun. KINSELLA—Mr. President—

President KELLY—Councilor Chase, the Chair regrets to rule you out of order. Councilor Kinsella, the question is on referring this matter to the Executive Session.

Coun. KINSELLA—Apparently Councilor Chase was going to contend with you, but I don't know.

President KELLY—Councilor Kinsella, the Chair has ruled Councilor Chase out of order. Councilor Kinsella has the floor.

Coun. CHASE—Mr. President.

President KELLY—Councilor Kinsella.

Coun. CHASE—Mr. President.

Coun. KINSELLA—Mr. President, I don't care to start in if the gentleman is going to take an appeal to the ruling in a minute or two.

President KELLY—The Chair has ruled Councilor Chase out of order. Of course, he can appeal the ruling of the Chair.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Linehan, for what purpose does the gentleman arise?

Coun. LINEHAN—Mr. President, a point of order.

President KELLY—Will you state your point of order?

Coun. LINEHAN—May I ask why you made that ruling? No member's motives have been impugned. I think he is talking—

President KELLY—I warned him to stay on the order four different times. I think I was very fair, councilor. Councilor Kinsella.

Coun. CHASE—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. CHASE—A point of information.

President KELLY—I am sorry, I can't accept the point of information unless Councilor Kinsella yields. Councilor Kinsella, do you yield to Councilor Chase?

Coun. KINSELLA—I do.

President KELLY—Councilor Chase.

Coun. CHASE—You ruled me out of order. On what grounds am I out of order, sir?

President KELLY—Not talking on the motion on referring the matter to Executive Session.

Coun. KINSELLA—Mr. President.

Coun. CHASE—Mr. President.

Coun. KINSELLA—Mr. President, I yielded for him only for a point of order.

President KELLY—Councilor Kinsella is recognized.

Coun. KINSELLA—If I were in the Chair, I would have ruled him out of order for an unwarranted attack on a man not in the Body and not here to defend himself. Mr. President, to give the chronology of this—

Coun. BAYLEY—Mr. President, a point of order.

President KELLY—Councilor Bayley, state your point of order.

Coun. BAYLEY—The point of order is, why are the rules enforced against one member and not against others?

President KELLY—Councilor Bayley.

Coun. BAYLEY—May I explain?

President KELLY—One minute, councilor. You asked me a question. The rules will be enforced against every member of the Body who breaks them.

Coun. BAYLEY—Mr. President, did you enforce Rule 21 against the previous speaker? It provides "every member when about to speak shall rise, address the Chair, and wait until he is recognized, and, in speaking shall refrain from mentioning any other member by name, shall confine himself to the question and avoid personalities. Any member who, in debate or otherwise, indulges in personalities or makes charges reflecting upon the character of another member, shall make an apology in open session at the meeting at which the offence is committed." Mr. President, did you enforce that against him? You warned him at least four times, but you did not make him apologize. Why are the rules enforced against one and not against all?

Coun. SULLIVAN—Does the gentleman want an answer?

Coun. KINSELLA—I did not yield to the whole Body.

President KELLY—The Chair will always warn every member before he finally rules him out of order. The Chair wants to be very fair and will go to the last extreme before he is forced to rule him out of order.

Coun. BAYLEY—The rule does not provide for warnings. It provides for action."

President KELLY—The Chair has been attempting to be fair this year and last year.

Coun. BAYLEY—I think the rules should be enforced.

Coun. SULLIVAN—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella has the floor.

Coun. SULLIVAN—Will Councilor Kinsella yield?

Coun. KINSELLA—I will be delighted.

President KELLY—Just a minute. The Chair has made the ruling that Councilor Kinsella has the floor. Do you care to yield the floor to Councilor Sullivan?

Coun. KINSELLA—If he is going to answer a fellow councilor, yes.

Coun. SULLIVAN—Thank you very much, Mr. President.

President KELLY—Councilor Sullivan, I have already given an answer to Councilor Bayley on this question. Councilor Sullivan, if you want to talk about reference of this order to the Executive Committee, you are in order.

Coun. SULLIVAN—Mr. President, about three weeks ago today utterances were made in this Chamber here, utterances that reflected and impugned the motives of eight members of this Body. Was anybody ruled out of order at that time? I think a man's reputation is more at stake than Rule 21, and the gentleman from Ward 5. Was there any ruling on anyone getting up that day? Was there any question of impugning motives of a member of this Body? I warn you —

Coun. LINEHAN.—Mr. President.

President KELLY—Gentlemen (striking gavel).

Coun. SULLIVAN—Was there any question when the gentleman from Ward 14 (Councilor Muchnick) made the statement that it was being held up pending a pay-off? Was there any impugning of motives, Mr. President? There is an answer to Rule 21.

President KELLY—The Chair regrets to rule you out of order.

Coun. BAYLEY—Congratulations. Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Is it safe to start, Mr. President? The history of the creation —

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Mr. President, the history of the creation of the power of the City Council to grant sidewalk permits starts on June 20, 1938 by means of a communication from his Honor the Mayor which I would like to read: "To the City Council."

Coun. COFFEY—Mr. President, I can't hear the gentleman talking.

Coun. KINSELLA—This is my bad day.

"Gentlemen,—The sidewalks or 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.

Coun. HURLEY in the chair.

Chairman HURLEY—Will the press keep quiet, please?

Coun. KINSELLA—I lost my place. You will note I read " . . . except in accordance with a special permit granted by the commissioner of public works. . . ." But the ordinance comes out and says " . . . except in accordance with a special permit granted by the City Council. . . ." Whether that is an error in the city printing or not, I don't know. The following pages in which this appears do not show that any action other than a reference to the Committee on Ordinances was taken. No debate of any kind, no question of legal opinion. That same year, August 15, 1938, Councilor George A. Murray for the Committee on Ordinances submitted the following which we find in Document 39, entitled "Supplement to the Revised Ordinances of 1925, containing the Ordinances of the City of Boston passed in the municipal years 1926 to 1945 inclusive." The language in chapter 4 on page 41 is precisely the language of the Mayor's recommendation with the exception of the use of the term in the ordinance, "City Council" where his communication read "Commissioner of Public Works." I am not an attorney, but it seems to me to be in very good taste that the councilor living in a district an appreciable number of years might have a better understanding of what sidewalk openings in certain locations would do to abutting property owners, more so than any inspector sent out by the Department of Public Works to make an investigation. I can also say it is part of the personal service rendered to the people in our district who want celerity of action; witnesseth today, Councilor Coffey was given three or four petitions of varying natures. Incidentally, I am on the committee this year, and he asked me about them, and I said, "Go ahead, as far as I am concerned." It was all right. That is what you call speed of action, and that makes a constituent feel that the councilor in his district is a fellow who can be helpful to him when he wants to further the progress of some business venture, and all without any suggestion of money, I might add. Mr. President, I want to say at this point I am opposed to referring this to Executive since the charges were made here by inference publicly and before several hundred people. I think this is the place to thresh out any afterthoughts or the merits of any afterthoughts that take the form of repealing the ordinance. I want to know, and I don't ask this as an academic question, but I want to know through the City Clerk what effect the establishment of the unconstitutionality of that ordinance of 1938 would have on Mr. Fairbank who was recently granted a permit? I will pause for an answer.

Chairman HURLEY—The City Clerk in response to the question put to the Chair said that it would have no effect on Mr. Fairbank.

Coun. KINSELLA—In other words, the fact that the Council acted illegally in giving Mr. Fairbank a permit under authority that was not constitutional is all right because now it is a *fait accompli*?

Chairman HURLEY—The Chair will rule the permit given to Mr. Fairbank was given under General Laws and not by ordinance. It is a different question entirely from this particular matter before the Council.

Coun. KINSELLA—I am grateful to you, Councilor Hurley, for getting the answer, but I would still like to point out that General Laws or otherwise, other permits can be questioned, their legality and constitutionality can be questioned but not the Boston Waterways taxi permit, and now he has it, the unconstitutionality is clearly referred to in this editorial, it is all right because he has it. There is no unconstitutionality about it. I read this article in the *Traveler* the other night, and as I said, I buy three papers in the evening and to my certain knowledge I have never except on one occasion experienced the Boston newspapers recommending the election of any members of the Boston City Council, the exception being during the bad war year of 1943 when the *Boston American* listed all our names in an editorial and said that we were a good body of men doing an excellent public job and that therefore the constituency of the various wards making up the City of Boston should reject any opposition and

return the 22 men to City Hall in January of 1944. Whether we needed that boost or not is entirely beside the point, but that is the first time any newspaper to my knowledge has come out with the recommendation that a whole body in its entirety be returned to office. However, when I read this piece the other night, it represented to me something that might be described as a little trap, ". . . if we don't go along with the contents of the editorial, . . ." and what it seems to achieve, as the lawyers would say, *per se* we are thieves, we are corrupt; on the face of our opposition we are corrupt and the only ones who will escape the consequences of their evil acts will be those who take the side contained in the editorial. A rather brazen statement for a newspaper that has always preached freedom of the press to make about 22 men duly and legally elected to hold office at the will of the people of their wards when they have contributed neither money nor publicity to the election of any one of us. Mr. President, on the purely personal side, I am in this city about seven hours every day, and Saturday about five yours, and I have gotten to know a lot of people. I number among my acquaintances some of the better known professional men in this city, lawyers, doctors, real estate dealers and architects, and those who have money from no source I could identify. I know a lot of them of high and low degree, and all those to a man condemn the action of the Council in granting the Waterways petition under the conditions present to Mr. Fairbank. Let me inject here a solid dissent for every man who voted for him, and I don't seek by that means to curry favor with any individual or the entire fourteen. I want to say in justification of the right they had to vote for him, it was to their eternal credit. Probably the whole fourteen were always with him. Surely, twelve were, and on two or three occasions one or the other had to absent himself when the vote was called and they did not muster enough strength so that there is no question of their integrity in the matter. But the great general public of the city takes the view they should have changed their vote as a reprisal against the man who permitted a slander on their characters, who contributed most in dirtying their hands if their hands did become dirty, and so I said here in opposing the granting of the license, there were 23, not 22. I too can join with all those who have said, starting with the councilor from Ward 7 (Councilor Linehan) because I can't mention his name, we are reviled and slandered.

Chairman HURLEY—Are you close to the end of your speech? I have something really important that the Body will have to take up immediately. I will let you continue if you are not quite finished.

Coun. KINSELLA—You broke into my trend of thought. I am all done. Mr. President.

Chairman HURLEY—Councilor Kinsella.

Coun. KINSELLA—I will try to finish within a minute. I want to say at no time under any circumstances for any consideration, regardless of the consequences, do I want to vote with a gun in my back. If ever I thought there was merit in relinquishing our control over sidewalk openings, I might reasonably say that it is a good order, but the technique employed is foul. I will not vote for it. That is flat, and I don't care what consequences are looming in the offing. Now we have a chance to find out once and for all if the Council is going to submit this, and then be butchered and bulldozed next Monday in cancelling out items of the budget. That is the most logical step for this newspaper to take. I certainly hope that the courage for which individually we are famous, and we have to have it to beat down the opposition to get in here. I hope that courage today will reassert itself even among the sponsors of the order who sought a permit over whose issuance we were all questioned. Thank you.

Chairman HURLEY—The Chair will suspend temporarily any further debate on the motion referring this to Executive.

Later in the session Chairman HURLEY said: The question now before the board is the reference of Councilor Bayley's and Muchnick's order to the Executive Committee. Those in favor say "aye."

Coun. KINSELLA—Mr. President.

Chairman HURLEY—Councilor Kinsella, for what purpose does the gentleman arise?

Coun. KINSELLA—I only want to say something that should have been said a long time ago and in a very serious vein. Mr. President, you

have heard some criticism about certain editorials published in a certain newspaper that apparently has adopted a new technique in newspaper reporting. They want now to dictate the news before the news is made. I have in mind, Mr. President, something that might concern every member of this Body in so far as the legitimacy of any purpose is concerned. Do you recall January 27, 1947, Mr. President, a date referred to here today by Councilor Coffey, in reading from a public record which is the *City Record* or the *Council Proceedings*, he said that he spoke about a \$100,000 dice game, and so forth. On that same day, Mr. President, the same councilor from Ward 1 made this statement, "Captain Britt told me that Commissioner Sullivan ordered him to lay off bookies in East Boston." You will find that in the record. Coffey didn't say a third person told him that, but it is immaterial whether that statement was true. A duly elected member of this Body speaking in his capacity as a city father made that charge against the Police Commissioner of the city, and there is not a person here who saw a probe of the Police Department conducted for the purpose of establishing the truth or the falsity of the charge. That was a forthright and direct accusation, remember, and it had a good deal more merit than what was said a few weeks back by the gentleman from Ward 14 (Councilor Muchnick) because all he was repeating, and admittedly so, were rumors. Now, I ask that paper, in all good faith, why they did not conduct or cause to be conducted an investigation of the charges made by a member of this Body? It is not sufficient for the paper to say, "Coffey said that; therefore, we don't believe it." Coffey was talking out of his mouth as a member of the Boston City Council, as a councilor, please remember, talking about the Police Department that functions in and for Boston.

Coun. MUCHNICK—Mr. President.

Coun. KINSELLA—And nothing was said about probing those charges.

Chairman HURLEY—For what purpose does the gentleman arise?

Coun. MUCHNICK—A point of order, Mr. Chairman.

Chairman HURLEY—Will you please state your point of order?

Coun. MUCHNICK—I fail to see what this has to do with the reference of the order under discussion to Executive.

Chairman HURLEY—The point is well taken. Let the councilor confine his remarks to that matter. Councilor Kinsella.

Coun. KINSELLA—At any rate, the charge was never investigated, and it was a direct charge, whereas the gentleman from Ward 14, to repeat myself, only repeated the story of a rumor, and it has brought down disgrace upon us and it may result in the punishment of every one of us.

Coun. MUCHNICK—Mr. President.

Chairman HURLEY—I have ruled that kind of discussion out of order. He is trying to change his subject now, and I think he is speaking now on the reference to Executive.

Coun. KINSELLA—I will say this, the gentleman has a great capacity for raising points of order but it does not cloud the issue. The issue today under discussion is, what action are we going to take on that order, and I ask why they did not make charges or instigate charges against the Police Department to establish the truth or falsity of the statements made here with everyone present. If the left shoe pinches, the right shoe will, too. I don't know when certain members of this Body are going to exhibit personal pride in what they have here, little as it is. On the question of reference, I have made my position plain. I don't think it should be referred. I think it should be thrashed out here. When we offer defenses that are substantial, they should be heard here, not in there. Bear in mind, all your life you are going to be remembered mainly as a member of the 1946 and 1947 Council that died under fire, and you won't escape it, my friends.

Coun. LINEHAN—Mr. President, I object.

Chairman HURLEY—Councilor Linehan, for what purpose does the gentleman arise?

Coun. LINEHAN—A point of order.

Chairman HURLEY—State your point of order.

Coun. LINEHAN—I object to this talk going on about dying and what have you. It has nothing to do with the order.

Chairman HURLEY—About dying? The point is well taken. Councillor, will you confine your remarks to the submission of this order to Executive?

Coun. KINSELLA—I don't object to the councillor from Ward 7, I sit back and listen to anything he wants to say, and I have not raised a point of order this year or last year against him. Why he is so touchy on the subject because I use different phraseology than he does is beyond me. He has raised a point of order —

Coun. BAYLEY—Mr. Chairman.

Chairman HURLEY—For what purpose does the gentleman arise?

Coun. BAYLEY—A point of order. My point of order is—

Chairman HURLEY—The gentleman has the right to raise a point of order, any gentleman, any member of the Council. The question is the reference of this to Executive.

Coun. BAYLEY—A point of order.

Chairman HURLEY—Will the gentleman state his point of order?

Coun. BAYLEY—I don't see that the touchiness of the distinguished gentleman from Ward 7 (Councillor Linchan) has anything to do with the order.

Chairman HURLEY—I just made a ruling. Councillor Kinsella.

Coun. KINSELLA—So in concluding, Mr. President, after the interruptions, I would like to say that I would like to see this almost unanimously rejected, not just now but at any time in the future it rears up its head.

Chairman HURLEY—The question is on the reference to Executive.

Coun. CHASE—Mr. President.

Chairman HURLEY—Councillor Chase.

Coun. CHASE—Mr. President, I wish the gentleman from Ward 5 (Councillor Bayley) would let me speak. Mr. President, this is a very important matter today, and I as one of the 22 members of the Council am expected to pass on matters that come before this Body, and I feel that I should take the floor to explain my feeling on the entire matter. I believe, Mr. President, if this power we have exercised is illegal and unconstitutional, then obviously, sir, we should not continue to use it. On the other hand, if we have been acting within our rights, then I question, sir, the wisdom of our transferring that authority to another department, and I say that, having this in mind, sir, that the good people of my district elected me to public office. They who voted for me had confidence in me, in my judgment, in my honesty, and in my veracity. I, sir, because of the publicity am not going to cringe or hide or be afraid. I feel, sir, I am just as qualified, as a matter of fact, more qualified, to act on matters which are legally before me as the gentleman downstairs, in other words, his Honor the Mayor, and I don't propose to relinquish any of my authority to his Honor the Mayor. I have in mind, sir, when he was Mayor of the city—

Coun. KINSELLA—Mr. President.

Chairman HURLEY—Councillor Kinsella, for what purpose does the gentleman arise?

Coun. KINSELLA—A point of order. There is no order of the Mayor under discussion here—

Chairman HURLEY—The point is well taken.

Coun. CHASE—My remarks about his Honor the Mayor as they go along will self-explain themselves. I have in mind, sir, as Mayor of the City of Boston his Honor the Mayor was vested with certain duties of trust and as chief executive, sir, it was found by a Superior Court Justice that he violated that trust and allowed himself to be the subject of a bribe of \$40,000. Now, sir, the advocates of this proposition say that the 22 members of the City Council should not entertain this authority. Suppose, sir, we have the legal right to do it. I say I can speak for myself and I can speak for a majority of these councillors. I feel, sir, the Council can be trusted, more so than his Honor the Mayor or any department head to give an honest transaction in the passage of anything. Now, Mr. President, I believe that considerable of this criticism which has been brought into this has caused the people of Boston and of the Commonwealth to believe and to think that the entire City Council of Boston is a corrupt institution and I, too, have served in the Massachusetts Legislature, and I can say that proportionally in every way this Body will meet the Massachusetts Legislature for honesty in every respect, and your Massachusetts Legislature is composed of an overwhelming majority of Republicans. If any member of this Council, sir, has been caused to be put under suspicion, I say there are many members of

the Legislature that have been put under equal suspicion on many state transactions and those members, sir, in many instances were your leading Republicans. I don't like to have any institution unfairly criticized or any group of men, and I believe for the last three weeks that the publicity this Body in general has been receiving has been totally unfair. I believe, sir, that in fairness to the public, in fairness to the elected office holders of this Body, that if anyone has knowledge of any wrongdoing of any particular member or members of this Body they should point the party out but, apparently, sir, libel laws are too strong in this state, and apparently the institutions that are blackening this Body generally with innuendoes of graft and corruption do not dare to come out and name the men who have been accused because they feel if that man or if those men place themselves in a court of law they can turn around and sue them for libel. But, sir, in their anxiety to protect themselves from any possible libel suit from one individual or two individuals or more individuals, they libel the entire Body with their innuendoes. I defy anyone to point his finger at me and to say I have not acted as a good law-abiding public office holder should during my entire ten years in the city government and during my entire six years in the State Legislature. Mr. President, for several weeks we have been unable to express our opinions; that is, an opinion on this matter. I repeat, sir, if we are acting illegally, we should divest ourselves of this power, but if we are acting within our rights, then I say to those who criticize our actions, what shall we do? Give the authority to a man who is under indictment, who has been found guilty? Give the authority to a man who has been ordered by a Superior Court Justice to pay back to the City of Boston \$40,000?

Chairman HURLEY—Councillor, I wish you would stop making references to this. This matter you refer to is still before the courts.

Coun. CHASE—Mr. Chairman, under General Laws 268, it provides any public office holder either in a state or municipal capacity who has been found as accepting a bribe for some official act of his is forever disqualified from holding office, and Judge Fosdick, sir, found as a fact that Curley while Mayor of the City of Boston corruptly requested \$40,000. He has ordered the Mayor to pay back to the City of Boston that \$40,000. The Mayor under that particular statute of the General Laws is not qualified to hold office, and yet the advocates of this measure propose we divest ourselves of this power.

Coun. MUCHNICK—Mr. President.

Chairman HURLEY—For what purpose does the gentleman arise?

Coun. MUCHNICK—A point of order.

Chairman HURLEY—State your point of order, Councillor Muchnick.

Coun. MUCHNICK—The advocates of this measure do not propose that anybody be divested of this power. If you will ask the clerk to read the order, you will find it merely asks the Law Department to give an opinion on whether this ordinance is at present valid, and that is all it asks for. It is a very simple request, Mr. President.

Coun. CHASE—Mr. President.

Chairman HURLEY—Councillor Chase.

Coun. CHASE—For three long weeks, sir, day after day, in every newspaper in the City of Boston I, with 21 other members of the Council, am forced to read glaring headlines on the corrupt City Council of Boston. Now, Mr. President, I for one do not propose to relinquish this floor unless I have had an opportunity to explain my stand in my municipal office, and I am being called upon, sir, to act on this proposed ordinance—

Chairman HURLEY—Continue, Councillor Chase.

Coun. CHASE—I am called upon, sir, to vote one way or another on the question of whether or not the City Council has authority to enact an ordinance giving them the right to pass on sidewalk openings. I want to warn the Council while I favor finding out whether or not we are vested with this authority, that in the event we are not, are we to be expected or are the proponents of good government in Boston to be expected to allow his Honor the Mayor to have this power?

Chairman HURLEY—Councillor, the question before this Body is not the question of any man's honesty at all. The question before this Body is the reference to the Executive Committee, of getting a legal opinion from the Corporation Counsel. You are my friend, and I want to be fair with you,

but if you start going along that line again, I will rule you out of order.

Coun. CHASE—Mr. President.

Chairman HURLEY—Councillor Chase.

Coun. CHASE—I believe you will agree with me, sir, last week his Honor the Mayor saw fit to utter statements which were to the effect, in substance, to take away the authority of the City Council and vest it in his department heads and himself.

Coun. MUCHNICK—Mr. President.

Chairman HURLEY—Councillor Muchnick, for what purpose does the gentleman arise?

Coun. MUCHNICK—A point of order.

Chairman HURLEY—Will you state your point of order, councillor?

Coun. MUCHNICK—Any statement made by the Mayor is not law, and any statement made by him can in no way affect our rights to get an opinion from the Law Department on anything.

Chairman HURLEY—The point of order is well taken. Councillor Chase.

Coun. CHASE—The point of order is well taken, Mr. President, but it does not exclude the fact that his Honor the Mayor apparently is trying to pose as quite a fellow and that your 22 members of the City Council were not so good, and I think, sir, under those conditions I have the right to challenge his contention. I think as an elected member of the city government that the people of my district would rather trust me with any matter of municipal government than they would the man downstairs or even any of his department heads, and I say that having this in mind: They elected me to hold this office and they have done it for ten consecutive years, and during those ten years I served six years in the Legislature simultaneously and if the people did not have that confidence in me, they would not have awarded me that double honor. I have in mind, sir, that no one can point his finger at Chase and say, "Chase has acted wrongfully." But the inference is quite clear in the various publications in the city that Chase is one of the 22 members of the City Council, and when they talk about the City Council, sir, they indirectly implicate each and every one of the 22 members. I don't think that is fair, especially, sir, when apparently, or at least they publicize the fact that, they have knowledge of the individual's name or individuals' names.

Coun. MUCHNICK—Mr. President.

Chairman HURLEY—Councillor Muchnick, for what purpose does the gentleman arise?

Coun. MUCHNICK—I would like to know what this has to do with the order, even though it may be interesting.

Chairman HURLEY—The Chair agrees with you, councillor. He seems to be slipping away from the order.

Coun. MUCHNICK—Will you do something about it?

Chairman HURLEY—I am going to rule him out of order if he does not get back on the subject matter. I don't like to do it.

Coun. CHASE—Mr. President.

Chairman HURLEY—Councillor Chase.

Coun. CHASE—I say, sir, in concluding, I am in accord with the gentleman from Ward 14 (Councillor Muchnick). Responsible citizens apparently question the legality of our right to act on matters such as sidewalk openings, and I assume, sir, they apparently have consulted counsel on the matter before they formed their conclusions. With that in view, I as a lawyer will not take issue with them. The question should be decided, and the preliminary question, sir, although it may be subject to a prejudiced opinion of the Corporation Counsel, I am in accord with the gentleman from Ward 14 that we should determine whether or not the matter is legal or illegal. Now, sir, because one group of citizens or institutions have seen fit unfairly to hit at this Body as a whole by their adverse publicity, I don't think it is quite proper for any member of the Council to hit back and accuse others that they are against the City Council because Curley is an Irishman, because I know, sir, the *Herald-Traveler* has on many occasions supported Irishmen. They supported Mayor Tohin, they supported Mayor Kerrigan. I think even Bill Mullins who was criticized is an Irishman. I know of employees who are Catholics so I don't see what we have to gain by unleashed attacks of that nature on that institution, but I think we have the right to point out to them their unfairness in criticizing the Council as a

whole the way they have been doing it through inference. When I say through inference, I mean this: glaring headlines on the front pages. I hope, sir, the members of your Body will go along with the gentleman from Ward 14 and at least try to get an opinion from the Corporation Counsel that will not be prejudiced, although I doubt it. I think his Honor the Mayor, where he has already indicated his desire to take this matter from us, probably his Corporation Counsel may be in for us, and I say that having in mind the absolute control his Honor the Mayor has over all his department heads, and he wrongfully and illegally and corruptly has acted in the past.

Coun. MUCHNICK—Mr. President.

Coun. CAREY—Mr. President.

Chairman HURLEY—Councillor Carey.

Coun. CAREY—I will be very brief. I have listened to the discussion since I came in this afternoon, and I for one feel if we have been acting unconstitutionally since 1938, it might be said it is untimely that the matter should be raised through an order in the Council this afternoon; nevertheless, I for one want to know from now on whether to vote on sidewalk permits. I therefore feel the order should pass, and I trust the councillors on the floor feel we should find out once and for all if we are acting unconstitutionally on sidewalk permits. I think it is well, now the matter has been raised, that we should have an opinion from the Corporation Counsel.

Coun. MUCHNICK—Mr. President.

Chairman HURLEY—The question before the Body is the reference of this order to the Executive Committee. Councillor Muchnick.

Coun. MUCHNICK—Mr. President, speaking purely on the merits of the order, I asked that this go to the Law Department for an opinion, and I assume in that opinion we would get an unbiased opinion from the head of our Law Department. I just heard one member of the Council and others by inference state that they did not anticipate we would get a fair opinion because the man happens to be an employee of Mr. Curley and that he would not act in accordance with the dictates of his own conscience. If I felt that way about it, I would not ask our Law Department to be the one to render that opinion. I have every feeling that Mr. Scolponeti is a fair, impartial and capable lawyer, and that he will render an opinion which is honest, whether it is one the Mayor wants or does not want, and I would like to have that in the record as one of the reasons why I want the opinion from the Law Department. It may be an opinion which many of us will agree to, but I don't know what it is going to be. I will stake quite a bit on the fact that Mr. Scolponeti's Law Department will give us an honest opinion.

Chairman HURLEY—The question is on reference to Executive. All those in favor, say "aye," those opposed, "no." It is not a vote. The question now comes on the amendment as submitted by Councillor Cook. The Clerk will read the amendment.

The Clerk read the amendment as follows:

That the Corporation Counsel also furnish the City Council with an opinion as to the constitutionality of all ordinances passed by the City Council since 1938.

Chairman HURLEY—The question now comes on the amendment. All those in favor say "aye," those opposed "no." It is not a vote. The question now comes on the passage of the order. All those in favor say "aye," those opposed, "no." It is not a vote.

Coun. BAYLEY—I doubt the vote and ask for a roll call, Mr. Chairman.

Chairman HURLEY—Coun. Bayley doubts the vote and asks for a roll call and is supported by three councillors. The Clerk will call the roll.

Coun. BRYAN—Will the Clerk please read the order?

Chairman HURLEY—The Clerk will read the order.

(The order was read.)

The roll was called on the adoption of the order, with the following result:

Yeas—Councillors Bayley, Carey, Chase, Keenan, Lane, Muchnick—6.

Nays—Councillors Bryan, Cantwell, Kinsella, Linehan, Scannell, Sullivan—6.

Present—Councillor Hurley.

Chairman HURLEY—Six in the affirmative and six in the negative, and the motion is lost.

DRAWING OF JURORS.

Chairman HURLEY—We have an order forthwith, a summons for the drawing of jurors, and while we have a quorum here we should take care of it. We may lack a quorum later, and it may necessitate our coming in here tomorrow. The Chair will now notify the City Messenger —

Coun. KEENAN—Mr. President.

Chairman HURLEY—Councillor Keenan, for what purpose does the gentleman arise?

Coun. KEENAN—I thought some time ago there was a motion made that we suspend that until all orders were in.

Chairman HURLEY—It is now 5 o'clock and we have a forthwith summons, and if it is not handled, they will be in here tomorrow. The City Messenger will notify his Honor the Mayor for the drawing of jurors. (The City Messenger reported that the Mayor was not available.) In the absence of the Mayor, the Chair will designate Councillor Linehan to draw the venire of 179 jurors in the Criminal Session.

Jurors were drawn, Councillor Linehan presiding at the box in the absence of the Mayor, as follows:

One hundred and seventy-nine traverse jurors, Superior Criminal Court, to appear April 16, 1947:

Sebastiano Amato, Ward 1; Ralph M. Carbone, Ward 1; Leonardo Colangelo, Ward 1; Joseph F. Davies, Ward 1; Philip DiDonato, Ward 1; Louis Ferrera, Ward 1; William L. Fowler, Jr., Ward 1; George W. Kinnaly, Ward 1; Ernest Labadini, Ward 1; James G. Matarese, Ward 1; Nicholas J. Pitari, Ward 1; Giuseppe Scali, Ward 1; Edward N. Boure, Ward 2; William R. Carroll, Ward 2; Charles H. Castor, Ward 2; Clayton Duprey, Ward 2; Philip Green, Ward 2; John J. Doran, Ward 3; Alfred Dotoli, Ward 3; Patrick Pasquariello, Ward 3; Carmine Polcari, Ward 3; Victor Rudom, Ward 3; Rocco Silano, Ward 3; Philip Callahan, Ward 4; Edward Daniel, Ward 4; Raymond W. Dopson, Ward 4; James Hamilton, Ward 4; John H. Hoffman, Ward 4; Frederick Pade, Ward 4; Leopold J. Ratte, Ward 4; Abraham Soloway, Ward 4; Robert P. Walker, Ward 4; Daniel J. Manning, Ward 5; Bruce D. Myers, Ward 5; John Perry, Ward 5; Alfred J. Hauff, Ward 5; Anthony J. Repici, Ward 5; George D. Traggas, Ward 5; Raymond B. Collins, Ward 6; Edward J. Costello, Ward 6; Frederick A. Herr, Ward 6; Herbert J. Lane, Ward 6; John D. Patterson, Ward 6; Lester D. Allen, Ward 7; Joseph Bruno, Ward 7; Joseph J. Elwood, Ward 7; Thomas J. Kerley, Ward 7; Michael Kirby, Ward 7; Joseph J. Ripp, Ward 7; Harry B. Cummings, Ward 8; Thomas J. Gordon, Ward 8; Thomas P. Grennan, Ward 8; Leo A. Jones, Ward 8; William R. Mager, Ward 8; Frederick E. Monticone, Ward 8; William J. Tronson, Ward 8; Geatano Venute, Ward 8; Harold Nichols, Ward 9; John A. White, Ward 9; Timothy A. Donnelly, Ward 10; Bernard Healey, Ward 10; Earl Tabor, Ward 10; John W. Warren, Ward 10; William E. Wellington, Ward 10; Samuel Widoff, Ward 10; Philip P. Burns, Ward 11; William J. Capuzzo, Ward 11; John O'Brien, Ward 11; Jacob Louis Bergman, Ward 11; Walter F. Neale, Ward 11; Henry H. Smith, Ward 11.

George G. Libby, Ward 12; Horace Rilcy, Ward 12; Louis Stern, Ward 12; Benjamin Swartz, Ward 12; Walter R. Todd, Ward 12; Herbert W. Toombs, Ward 12; Louis Warshaw, Ward 12; Stanley J. Burke, Ward 13; Edward T. Byrne, Ward 13; Cornelius S. Connors, Ward 13; Paul Devir, Ward 13; William J. Healey, Jr., Ward 13; John J. O'Brien, Ward 13; Frank Pellegrine, Ward 13; Max Bass, Ward 14; Louis Brik, Ward 14; Abraham Brother, Ward 14; William Cohen, Ward 14; Harry Craig, Ward 14; Harry Futran, Ward 14; Aaron A. Gillin, Ward 14; Edward I. Goodman, Ward 14; Barnett Holmes, Ward 14; Myer Levin, Ward 14; Harold Miller, Ward 14; Louis E. Rosenthal, Ward 14; Abraham Rubin, Ward 14; James P. Savage, Ward 14; Harry Segal, Ward 14; Samuel Silverman, Ward 14; Harry Sugarberg, Ward 14; William Swartz, Ward 14; Joseph M. Costello, Ward 15; John F. Eddy, Ward 15; James Healy, Ward 15; William H. Looney, Ward 15; Patrick J. Barry, Ward 16; Frank L. Cheney, Ward 16; Sydney Garvey, Ward 16; Vincent J. George, Ward 16; A. Gordon Howie, Ward 16; Martin J. McGuire, Ward 16; Herbert F. O'Neill, Ward 16; Wilbur L. Proctor, Ward 16; Edward E. Slattery, Ward 16; Abraham Spellman, Ward 16; Morris Becker, Ward 17; Irving M. Cagan, Ward 17; Herbert W. Connor, Ward 17; Max H. Hatch, Ward 17; Joseph H. Lane,

Ward 17; George H. Morgan, Ward 17; William T. Muir, Ward 17; Max Newmark, Ward 17; Michael J. O'Donnell, Ward 17; Henry James O'Keefe, Ward 17; Edward Pierce, Ward 17; James M. Reid, Ward 17; Herman Rosenberg, Ward 17; Chesley A. Smith, Ward 17; Alfred F. Anderson, Ward 18; Isadore Glick, Ward 18; Lorenzo Lavorgna, Ward 18; Arnold F. Little, Ward 18; Owen F. Lyons, Ward 18; Charles A. Mayer, Ward 18; Michael Palmer, Ward 18; Russell J. Strang, Ward 18; Morris J. Weinbaum, Ward 18.

William L. Roth, Ward 19; Francis T. Scott, Ward 19; Edward M. Stapleton, Ward 19; Byron M. Allen, Ward 20; Joseph M. Dolan, Ward 20; Edward Fisher, Ward 20; James E. Fraher, Ward 20; Herbert Geddis, Ward 20; Frederick J. Hogardt, Ward 20; Frank A. Lewis, Ward 20; Edward J. McGovern, Ward 20; George McKenzie, Ward 20; Fred Mcklay, Ward 20; Eric V. Nilson, Ward 20; Henry K. Oberlander, Ward 20; Henry T. Rice, Ward 20; John N. Timmerman, Ward 20; Gilbert S. Wallace, Ward 20; Otto Weller, Jr., Ward 20; John R. Whelan, Ward 20; Chester C. Andrews, Ward 21; Mark Blumenthal, Ward 21; Arthur G. Bradbury, Ward 21; William Bronstein, Ward 21; Chester C. Brown, Ward 21; Arthur J. Casey, Ward 21; John C. Davis, Jr., Ward 21; Harold Mannis, Ward 21; Henry DeRobertis, Ward 21; Edward A. Mathey, Ward 21; Benjamin J. Obdens, Ward 21; Theodore J. Parkas, Ward 21; Israel Schneider, Ward 21; Stanley E. Allen, Ward 22; Robert W. Burke, Ward 22; Thomas F. Dunn, Ward 22; John A. McCabe, Ward 22; John P. McLeod, Ward 22; Leo Owen, Ward 22.

MEETING OF COMMITTEE ON APPROPRIATIONS.

Chairman HURLEY—The Chair will now give notice to the Council members that due to the illness of the Chairman of the Committee on Appropriations, Councillor Fish, the meeting scheduled for tomorrow has been postponed to Wednesday at 10.30 a. m.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

1. Report on petitions (referred today) for driveways openings, as follows: Max Segelman, 165 Stanwood street; Joseph J. Gottlieb, Joseph M. Greenberg, 120 Mountfort street, Ward 21; Joseph J. Benkert, 719 Washington street, Ward 17—recommending that permits be granted.

Reports accepted; said permits granted under usual conditions.

2. Report on petition of New Allston Alleys, John J. Callaghan, 137 Brighton avenue, Ward 21 (referred today) for permit for Sunday bowling—recommending that permit be granted.

Report accepted; said permit granted under usual conditions.

CHRISTOPHER J. LEE PLAYGROUND IMPROVEMENTS.

Coun. SCANNELL offered the following: Ordered, That the Park Commission be requested, through his Honor the Mayor, to resod the Christopher J. Lee Playground and to place the baseball diamond in first-class condition for the opening of the baseball season.

Passed under suspension of the rules.

FLAGPOLE FOR WILLIAM E. CARTER PLAYGROUND.

Coun. SULLIVAN offered the following: Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to erect a flagpole on the William E. Carter Playground, Columbus avenue, Ward 9, said pole to be ready for dedication on Flag Day, June 14, 1947.

Passed under suspension of the rules.

SYMPATHY TO FAMILY OF CHARLES
A. BUCHANAN.

Coun. CAREY offered the following:
Resolved, That the Boston City Council, in meeting assembled, hereby extends its deepest sympathy and condolence to the family of Charles A. Buchanan, member of the Boston Fire Department, who met an untimely death while in the performance of his duty today.
Passed under suspension of the rules.

RETIREMENT OF TEACHERS.

Coun. KEENAN offered the following:
Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the retirement of teachers prior to August 31 after having reached the age of seventy years; provided that said legislation includes a referendum to the Mayor and City Council.
Passed under suspension of the rules.

DETENTION HOME FOR MINORS.

Coun. CANTWELL offered the following:
Ordered, That his Honor the Mayor be requested to immediately take under advisement the erection, or establishment of a Detention Home to be used for the housing of minors during the period of their detention and while awaiting the disposition of their case in the courts.
Coun. CANTWELL—Mr. President, it has come to my attention when juveniles are arrested, they are turned over to the probation officers and that the probation officers place the boys in the Charles Street Jail and the girls down in the tombs. Juveniles should not be placed in the same company as adult criminals and sex offenders. Crimes by sex offenders are prevalent these days and demand our particular attention to take preventive steps. Social groups in churches of all denominations are clamoring and demanding that all possible preventive measures be taken to lessen the evils confronting our youth. Yesterday I heard a radio commentator who remonstrated against the policy

of movie producers who continued to produce elaborate sex pictures where these crimes are glamorized. This order would be only one step in the right direction, and let us not delay even one week, let us have proper action now.
The order was passed under suspension of the rules.

ACCEPTANCE OF HAUTEVALE STREET.

Coun. CANTWELL 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 Hautevale street, Ward 18.
Passed under suspension of the rules.

V. F. W. ROAD RACE.

Coun. BRYAN, for Councilor MADDEN, offered the following:
Ordered, That the City Messenger be, and he hereby is, authorized to rope off the streets along the route of the V. F. W. Road Race in Oak square to be held on Saturday, March 29, 1947, between the hours of 2 and 4 p. m., the expense of same to be charged to the City Council appropriation for Flags, Ropes, and Stakes.
Passed under suspension of the rules.

ACCEPTANCE OF GERRISH STREET,
WARD 22.

Coun. BRYAN, for Councilor MADDEN, offered the following:
Ordered, That the Board of Street Commissioners be directed by his Honor the Mayor to accept and lay out for construction as a public highway, Gerrish street, Ward 22.
Passed under suspension of the rules.

Adjourned, on motion of Councilor CANTWELL, at 6.05 p. m., to meet on Monday, March 31, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 31, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair and all the members present. The meeting was opened with the salute to the Flag.

VETO OF ACCEPTANCE OF CHAPTER 146.

The following was received:

City of Boston,
Office of the Mayor, March 25, 1947.

To the City Council.

Gentlemen,—I return herewith, without my signature and disapproved, the order of your Honorable Body accepting chapter 146 of the Acts of 1947, which specifies vacation and sick leave for members of the Police Department of the City of Boston.

The provisions of this Act are identical with those of two ordinances passed by the City Council in 1945. The first of these ordinances purported to grant certain vacations and sick leave for city employees in general, exclusive of the Police and Fire Departments. Although its validity was in question as a patent interference with the executive business of the city, the ordinance was not referred to the Corporation Counsel for an opinion, and it was approved by the Mayor. The experience of the year 1946 showed a tendency on the part of some employees to take undue advantage of its provisions to the detriment of the city service, and this tendency was beyond the control of the department heads on account of its mandatory provisions. For this reason, I requested an opinion from the Corporation Counsel as to its validity, which opinion, under date of March 15, was that it was absolutely void.

The second ordinance passed by the City Council on the same day in 1945 purported to specify the vacations and sick leave for members of the Police Department. This ordinance was vetoed by the then mayor, and the Act which was accepted by your Honorable Body on March 24 contains the same provisions.

The Police and Fire Departments occupy a place in the city service not comparable to the other departments. The lives and safety of the inhabitants depend to a great extent on their efficiency and discipline, and the heads of those departments are responsible and have the authority to make regulations concerning their employees which will tend to promote and conserve that efficiency and discipline.

I am not prepared to say that the proposed regulation of the vacation and sick leave of the Police Department is either better or worse than those now in force, but I am prepared to say that I am definitely opposed to any interference by the City Council or the Legislature with the executive functions and responsibility of any city department or official.

I might add, at this point, that it is my intention to have an immediate study made of a standard plan for vacation leave for all employees, and to institute such plan in the various departments at the earliest possible date.

For the reasons outlined above, the order concerning vacation and sick leave for members of the police force is vetoed.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

SIDEWALKS, CENTRE STREET, WARD 11.

The following was received:

City of Boston,
Office of the Mayor, March 25, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, concerning your order of March 10, 1947, relative

to the installation of new sidewalks on Centre street, Ward 11, between Cedar and Marcella streets.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
March 24, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works install new sidewalks on Centre street, Ward 11, between Cedar and Marcella streets, and this will advise you that this street will be put on the list of streets to be given consideration during the 1947 construction season.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

SIDEWALKS, BLAKE STREET, WARD 18.

The following was received:

City of Boston,
Office of the Mayor, March 25, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, concerning your order of March 10, 1947, relative to the installation of edgestones and granolithic sidewalks along both sides of Blake street, Ward 18.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
March 24, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works install edgestones and granolithic sidewalks along both sides of Blake street, Ward 18, and this will advise you that this street will be put on the list of streets to be given consideration during the 1947 construction season.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

PETITIONS RECEIVED.

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

Claims.

May T. Baillie, to be reimbursed for accident which occurred caused by an alleged defect at 281 Washington street.

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

Salvatore Coraccio, for compensation for injuries and damage to property caused by city car.

Agnes Davis, for compensation for injuries caused by an alleged defect in sidewalk at Faneuil Hall.

Frank A. Giorgio, for compensation for damage to car by police car.

Jenny M. Hussey, for compensation for injuries caused by an alleged defect at 14 Locust street.

Charlotte S. Kelly, for compensation for injuries caused by an alleged defect at 694 Tremont street.

Edward H. and Sadie E. LaDue, for compensation for damage to property at 107 Bolton street, during demolition of structure.

John LoVuolo, for compensation for damage to property at 95 and 97 Washington street, caused by broken water pipe.

Ida Miller, for compensation for damage to car caused by car of School Committee.

Laura E. Powers, for compensation for damage to car by city truck.

Smith Brothers Garage, Inc., for compensation for damage to car by city car.

Stanley Skrzyszowski, for compensation for damage to car by city truck.

Charles N. Trodden, to be reimbursed as result of accident which occurred while in performance of duty.

James F. Welch, to be reimbursed as result of accident which occurred while in performance of duty.

Executive.

Petition of Mary E. Wyllie to be paid an annuity on account of death of husband, Thomas F. Wyllie, late member of Fire Department.

Committee on Licenses.

Petition of Shell Oil Company for driveway opening on Centre street, at Spring Park avenue, Ward 19.

MINORS' LICENSES.

Petitions for minors' licenses were received, from six newsboys and one bootblack. Licenses granted under usual conditions.

NOTICE OF HEARINGS BEFORE PUBLIC UTILITIES DEPARTMENT.

Notice was received from the Public Utilities Department of hearings to be held as follows:

On petition of New England Transportation Company, from Dedham-Boston line to bus terminal in Park square, on April 7, 1947, at 10.30 a. m.

On petition of Almeida's Bus Service, from Milton line at Mattapan to Park square, on April 1, 1947, at 10.30 a. m.

On petition of Boston Elevated Railway Company to operate motor vehicles over Orleans street, Porter street, Cottage street, and the private way leading from Porter street to the General Logan Airport, on April 7, 1947, at 10.30 a. m.

Severally placed on file.

REPORT OF FINANCE COMMISSION RE CUSTODIANS OF VOTING MACHINES, ETC.

The following was received:

City of Boston.

Finance Commission, March 26, 1947.

To the Honorable the City Council.

Gentlemen.—The municipal budget for 1947, which is before you, contains provision for a number of custodians of voting machines. It is a new rating, never previously considered for classification by the Civil Service Commission, and, because of that fact, it is possible to make appointment thereto without usual civil service testing and control. Under circumstances such as these many unnecessary employees have been foisted on the taxpayers of Boston.

The Finance Commission has made inquiry into the needs of the Election Commissioners in this respect as well as into their plans for the purchase and use of more voting machines. It has come to two definite conclusions in respect thereto:

1. The election officials should not commit the city to the purchase of any more machines until the Legislature has acted upon the proposals to permit the voters to decide on a plan of government for the City of Boston.

2. There is no need to build up an entirely new force of city employees to take care of the machines already purchased. The provision in the budget for 15 custodians at \$3,000 a year should be eliminated. The expenditure of this sum for the purpose intended is definitely unjustifiable.

No plan has yet been divulged for extension of the installation of more voting machines. 224 are now installed; and no appropriation has yet been made for it. But there is no guarantee in these facts that suddenly a new purchase will not be revealed. According to information given the Finance Commission by a member of the Election Board in formal examination, extension of voting machine use to nine more wards, using 386 more machines, has been discussed. Under the peculiarity of the law authorizing use of voting machines, the Election Board and the Mayor may authorize the City Treasurer to borrow for the purchase of voting machines at any time to the extent of \$1,000,000; and no notice, in advance of the offer of bonds, is required. The machines already acquired have used up \$300,000 of the authorized right to borrow. Further purchase

may remain undisclosed until the voting machines are actually delivered.

The chief reason for the Finance Commission's objection to further commitment now for voting machines is that it may well happen that the machines cannot be used at all in a city election. In the variety of efforts now being made to change the Boston Charter, there is a strong movement to obtain a Plan E Charter for the City of Boston. This type of charter, as is well known, would include the system of voting known generally as preferential voting. This movement has every indication of remaining a live issue in Boston for several years. It is now generally accepted that the Boston automatic voting machines cannot be used in "preferential voting."

This fact is not offered as a point either against Plan E or against voting machines. Nevertheless, it is a consideration to be kept in mind in planning further investment in voting machines.

The Finance Commission's second conclusion, that it is not required that a large force of new employees be added to have custody of these machines, is based on examination of members of the Election Board, on investigation and inspection of the machines in storage locations, and on inquiries in other cities which have been making use of voting machines.

In regard to the custodians, Michael J. Manning, Acting Commissioner, speaking for the Board of Election Commissioners, admitted that the voting machines are incased, are under lock and key, and are kept locked; and that each machine is then completely covered with a tarpaulin. In such circumstances it is difficult to see that any servicing of the machines is regularly necessary. As a matter of fact, it is not being given. Mr. Manning's explanation, therefore, that the work of the custodians is to dust them, oil them, keep them in repair, show people how to use them, seems to be an invention to justify employment.

Replying to a request to give specifically the duties of the custodians, Mr. Manning's testimony was as follows:

"Ten people report at Room 108 daily. They do clerical work, go out in the field. Reilly (one of the custodians) gives assignments. The Board tells him about certain work decided upon." Asked if he (Manning) knows the nature of any assignments, he said, "Repairing tarpaulins. When they are ripped, the custodians sew them." Asked who would do the clerical work if they didn't, he said, "I don't think the necessity would exist, to my knowledge." Asked again who would do it if they didn't, he said, "I can't intelligently answer that question."

Examination of the present locations of the machines and the situation surrounding them supports the belief that they require no special attention, except just previous to an election function. They are all stored in public buildings which have regular custodial employees. In most instances it has been these persons who have determined exactly in what spot the machines should be stored. Some decided it was all right to leave them exactly as they were when used on election day. Others, for their own convenience, decided to move them to another location. The election officials did not enter into this determination. In most places the machines were a curiosity just after use at election time, and a few people, here and there, came to look at them. Because after a time these curious citizens could see nothing but an object covered by a tarpaulin, such visits ceased. Later, as new custodial appointees took office, some of them made calls, presumably to see what they were paid to have in custody. However, the general story obtainable from custodians of the buildings housing these machines is that in the last couple of months nobody has been near them.

Inquiry in other cities of experience in custody of voting machines produced additional confirmation that Boston's large force of custodians is unnecessary. In Hartford, Connecticut, with more than 100 machines in use for the past two decades, the city has found it necessary to employ but one full-time employee to do all the oiling, repairing, dusting, etc., required. This employee is a trained mechanic. In Brookline, Massachusetts, which has 90 or more machines, no special custodial service has been required. The machines are stored, each in its own case and without the extra covering of tarpaulin which Boston provides,

and not disturbed from election function to election function. A few mechanics from another department, working evenings for a few days before election, assist the town clerk's office in setting up the machines for each function.

This would seem to dispose of Mr. Manning's contention that 15 full-time employees are necessary to keep the machines in operating condition.

It is apparent that this employment in Boston of "custodians of voting machines" was motivated not by the requirements involved, but by the opportunities present. There is no civil service list of "custodians of voting machines." Hence appointments can go to any who have influence enough to obtain them. Advantage has already been taken of that fact to place ten custodians on the pay roll at \$3,000 a year each. There is provision in the budget now before the City Council for five more.

This situation has all the earmarks of a duplication of the situation with respect to constables, where, by adding one or two at a time, the number ran as high as 94 at the end of the last previous administration, was cut down to 14 at the beginning of the present administration, and has again risen to approximately 60; or a duplication of the situation in the Recreation Department, where the number of employees expanded almost overnight from a half dozen to approximately 150. (Constables are not classified civil service help, and the Recreation Department employees were all appointed at a time when there was no classified list from which to select appointees.)

The Commission desires to point out that, in the explanation offered by Commissioner Manning, he emphasized that the work these custodians are now doing is clerical work in the office of the Election Department. This clerical work, from his description of it, is no more than the normal clerical work of the department. If it had been made clear to the Civil Service Commission that the contemplated duties to be performed by these employees would be primarily clerical, it is questionable whether or not the Civil Service Commission could recognize appointments of individuals not on the classified lists.

His claim that the custodians must possess mechanical ability for the performance of their intended duties appears to have had little weight in the selection of the ten already appointed. Not one of them appears to have come from a position requiring mechanical skill, except possibly one who was a driver of an express truck, or another who was a clerk in the city garage. A woman formerly employed as a clerk in a government office is among the ten. The Commissioner explained that in this case the woman had capability as an electrician.

Additionally, the Commission desires to point out that the appointments already made and the gossip as to others to be appointed later have served to weaken the morale of the large body of city employees. The custodians in the buildings where the machines are located wonder why someone else is paid for what has become their responsibility; and the employees of the Election Department are resentful of the fact that these custodians are made a special class in the department and are paid at a rate of \$3,000 a year, while the assistant registrars of voters are confined to a scale running from \$1,800 to \$2,800 a year. Of the ten now serving as custodians, only two had previously worked in the Election Department.

The Finance Commission is cognizant of the laws relating to the installation and custody of voting machines and is convinced no such large force of custodians is needed or required. Instruction of the regular force of the Election Department in the use of the machines should result in having on hand at all times, without extra pay roll, all the help needed for the care and custody of these 224 voting machines and any others which may eventually be added.

Respectfully submitted,
EDWARD F. MULLEN, Chairman.
ALEXANDER WHEELER,
LEO J. DUNN,
FREDERICK DEANE,
FREDERICK W. ROCHE,
The Finance Commission.

ROBERT E. CUNIFF,
Secretary.

NOTICE OF ASSIGNMENT OF JUDGES.

Notice was received of assignment of judges by Chief Justice Fred T. Field of the Supreme Judicial Court, being assignments of judges of district

courts to act as judges of Appellate Division, and designation of presiding judges to fill existing vacancies for the Northern District.

Placed on file.

APPOINTMENT OF PETER J. ALLEN.

Notice was received from the Mayor of reappointment of Peter J. Allen as member of Board of Assessors, for term ending March 31, 1952.

Notice was also received from the Mayor of designation of Peter J. Allen as Chairman of Board of Assessors as of March 31, 1947.

Severally placed on file.

APPOINTMENTS BY THE MAYOR.

Notices were received from the Mayor of the following appointments:

Thomas M. Gemelli, 36 Trapelo street, Brighton, as member of Board of Overseers of Public Welfare, for term ending April 30, 1947, *vice* Frederick J. Celata, resigned.

George W. Judkins, 31 State street, to be member of Board of Appeal, for term ending May 1, 1950, *vice* Daniel G. Slattery, deceased.

Gertrude A. Pfau, reappointed member of Board of Election Commissioners, for term ending April 1, 1951.

Severally placed on file.

STATEMENT BY COUNCILOR LINEHAN.

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linehan, for what purpose does the gentleman arise?

Coun. LINEHAN—I arise to a point of personal privilege, Mr. President.

President KELLY—Councilor Linehan, will you state your point of personal privilege?

Coun. LINEHAN—Mr. President, I arise at this time in order that I may be permitted as a City Councilor to answer an attack made upon me and other members of the City Council last Monday in a Boston newspaper. This attack was made on me as a member of this Body.

President KELLY—The point of personal privilege is well taken. Councilor Linehan.

Coun. LINEHAN—Mr. President, gentlemen, I welcome this opportunity of making a personal explanation whereby I might remove certain erroneous impressions entertained by the editors of two Boston newspapers as a result of my action and vote as a member of this Body, and to answer the unwarranted attack made by those newspapers towards me.

Briefly, I would like to set forth my background, my training, education, and experience, to mark out the road that I have traveled in my private and public life to the place where I now stand, the efforts I have made to prepare myself for a life of service as a public servant and as an attorney, and also to enumerate my creed as a citizen, as an attorney, and as a public servant, to which creed I have always adhered.

I was born, reared, and have always lived in the South Boston-Dorchester district, which I now represent, and which gave me my start in public life.

On my graduation from South Boston High School I was desirous of further education that I might develop myself as much as possible, and be ready to accept those opportunities that are always present in this land of opportunity for men who are well trained.

I was graduated from Northeastern University Evening Law and Business Schools, receiving the degrees of Bachelor of Laws, Master of Laws, and Bachelor of Business Administration. I obtained these three degrees during the period from 1928 to 1939, during which time I went to school nights after working days, for my family was not a family of means, and I had to make my contribution to the support of the family even while securing my education.

In 1932 I was admitted to the practice of the law in this Commonwealth, which practice of the law has been my means of livelihood to the present day with the exception of the time spent in the armed forces during the recent war. I was admitted to the Federal Bar in 1934, and I was admitted to practice law before the Supreme Court of the United States in 1938.

In 1936 I was chosen by the good people of Ward 7 to represent them in the Massachusetts Legislature, where I served from 1937 to 1940. While a member of the Legislature I was appointed a member of the Committee on Judiciary. In 1939 and 1941 the people of Ward 7 elected me to the Boston City Council, and in 1942 the membership of that Body chose me as their President.

Several months later, and during my tenure as President, I entered the service of our country like millions of other Americans, and served with the United States Navy in the Pacific theater of operations.

On returning to civilian life the people of Ward 7 again honored me by returning me to this Body.

In the executive and administrative branches of our municipal government I have served in the following capacities: Legislative Counsel for the City of Boston, member of the Boston Transit Commission and the Boston Housing Authority.

I submit that, by training and experience as a lawyer, a member of the City of Boston Law Department, a member of the Legislature, the City Council, and as an administrative and executive officer, I have a knowledge of how laws are made, interpreted, and enforced. Further, I believe in the sanctity of the law, and that it should be interpreted by a judicial process, and should be changed *only* by regularly authorized and legal methods. I bow to no man in this Body in my knowledge of municipal law and, certainly, I do not have to rely on the snap judgments of those whose knowledge is superficial, and whose conclusions are hastily and erroneously arrived at. I believe that our government is a government of laws, not of men—of laws, not of newspaper editors.

As to my private and public life, no finger of criticism has ever been pointed at my motives, nor has my integrity ever been questioned. I have always believed and *still* believe that no position in society, either in public or private life, can bring joy to anyone who realizes that he has obtained it the wrong way, who knows his life is a living lie. On the other hand there is always contentment and happiness in the heart of him who prizes a right conscience above public opinion, integrity above personal gain, and who refuses to compromise with principle. Accordingly, I have always acted for what I thought was right. As a public servant my actions have always been directed towards the best interests of all the people whom I represented.

These, then, are the principles upon which I have based my entire life. I have prided myself after my years of service in public life that, regardless of what some may think of my political beliefs, I have acquired one priceless asset—a good reputation. I have earned it; I intend to keep it. May error never deprive me of it. I can appreciate the sentiment expressed by the immortal Shakespeare:

"Good name in man or woman, dear my lord,
Is the immediate jewel of their souls;
Who steals my purse steals trash; 'tis something,
nothing,
'Twas mine, 'tis his, and has been slave to thousands;
But be that filches from me my good name,
Robs me of that which not enriches him
And makes me poor indeed."

Now, because I have always followed the principles set forth, I find myself attacked. For what? For adherence to principle! The Boston *Herald* in an editorial has made an unwarranted and unfair attack on my integrity and ability as a councilman and as an attorney. I cannot let that attack pass unnoticed. I hereby explain my position, and in all fairness I expect the *Herald-Traveler* to publish this statement, and give it the same prominence and treatment accorded my action in voting as I did in this Body on last Monday as they gave to an editorial concerning that vote.

At that time the order before the Council was one calling for the reference to the Law Department for an opinion concerning the legality of the ordinance authorizing the City Council to make sidewalk openings, which power the *Herald-Traveler* claims is a "usurpation of the powers of the Public Works Commissioner."

Prior to our meeting on Monday last the *Traveler* tried to intimidate the members of this Body by stating that we shall see who dare oppose

this order. Such pressure has never influenced me! I vote according to the dictates of my conscience. I realize that this paper has engaged in a crusade to change our form of government; and that certain words expressed in this Council have cast a cloud over this Council. But this order on which their editorial was based had nothing to do with any charges now pending, but was an attempt to strip this Body of powers it legally has.

I have been in politics long enough to know that on Monday last there were certain courses open to me on the matter of referring the sidewalk ordinance to the Law Department for an opinion as to its legality. I knew that certain papers favored this order. I realized that if I voted to so refer it I might have secured some slight praise in the *Herald-Traveler*. I also could have remained silent or absented myself. But I have never evaded my responsibility as a public servant, I have never compromised with principle. And because I was convinced that the ordinance in question was legal and that the proposed referral for an opinion was purely political, designed to bring this Body into further disrepute, I voted as I did: that it should not be referred for an opinion, as none was needed; that the ordinance was clear, certain, legal, and constitutional.

I will now give you the law as a lawyer finds it after due deliberation and due research work in the laws of our commonwealth.

Laws—Sidewalks.

Let us look at the law—the law relative to sidewalks—the law as enacted by the legislature—the law as decided by the courts—the law as interpreted by able, practicing lawyers—not the law as enunciated by clerks, editorial scribes, nor yet by curbstone lawyers.

In 1893 the Legislature by the enactment of chapter 437 set forth the following statute as to the powers of the City of Boston in the matter of sidewalks.

"Section 1. The board of Mayor and aldermen of the City of Boston may grade and construct sidewalks, and complete any partially constructed sidewalk in any street of such city as public convenience may require, with or without edgestones, as said board shall deem expedient. . . ."

In section 3 of this chapter it is provided: "All Acts and parts of acts inconsistent with this act are hereby repealed."

This act was expressly amended by Special Acts 1916, chapter 269, section 1; Special Acts 1917, chapter 196, section 1, and most recently amended by chapter 203 of the Acts of 1943, which provides in section 1 as follows:

"Section 1. The City Council of the City of Boston, with the approval of the mayor, may order grading and construction of sidewalks, or the completion of any partly constructed sidewalks in any street of said city, as public convenience may require. . . ."

In *City of Boston versus Boston and Albany Railroad Company*, 170 Mass. 95 (decided January 7, 1898), the Court admitted on an agreed statement of facts that the order for the construction of a sidewalk in September, 1895, pursuant to an order passed by the mayor and aldermen was valid, and the sidewalk was constructed according to law.

Justice Barker in *Copeland versus Mayor and Aldermen of Springfield*, 166 Mass. 498 (1896), at pages 501, 502, stated, and I quote the Court:

"Without examining in detail the provisions of all the special statutes concerning sidewalks in the territory now within the city limits of Boston, it may be stated generally that until the year 1893 the whole expense of construction rested upon the owners of abutting lands, except in Roxbury before its annexation, and only those walks were maintained at the public expense which had been relinquished in writing to the city and accepted by it. See Sts. 1799, C. 31; 1809, C. 28; 1824, C. 16; 1833, C. 128; 1845, C. 236; 1849, C. 133; 1855, C. 97; 1859, C. 165; 1860, C. 182; 1864, C. 160; 1891, C. 323; 1892, C. 401. How many different systems were in force at the same time in Boston we do not know now; but it was provided by St. 1892, C. 401, s. 5, that thereafter sidewalks should be made and paid for in accordance with the provisions of that

act, and of St. 1891, C. 323 and the acts in amendment of St. 1891, C. 323, sometimes called the board of survey acts.

In 1893 another special act relating to sidewalks was passed, containing a provision repealing all inconsistent acts and parts of acts—this act, St. 1893, C. 437 . . . has been recited by me, which act as amended is still in effect.

Let us go to the law relative to the Commissioner of Public Works, referred to in the editorial.

Law — Commissioner of Public Works.

Now, Mr. President, let me recall to your attention a little legal history of the powers of the Commissioner of Public Works, the officer having charge of certain functions, certain duties in regard to, and certain powers over, sidewalks, and incidentally the officer whose powers, it is alleged, the Council has usurped. Remember that the functions, duties, and powers of that officer were given to him by this Honorable Body, and may be altered or changed only by this Body under present laws.

It was provided in the Revised Ordinances of 1898 in chapter 38, section 1, as follows:

"Section 1. The Street Department shall be under the charge of the Superintendent of Streets, who shall construct all streets and sewers; shall have discretionary power as to the grades, materials, and other particulars of the construction of streets, sidewalks and sewers; . . ."

This power given to the Superintendent of Streets by ordinance of the City Council and Mayor, was repealed by ordinance of a successor Council and Mayor eight years later (chapter 1, Ordinance of 1906). This latter ordinance was repealed by section 23 of chapter 3 of the Ordinances of 1908, and corresponding powers were given to the Superintendent of Streets by section 1 of said chapter 3.

In 1909 the third major revision of the Charter of the City of Boston was made by the Legislature and accepted by the City of Boston. It was provided in said charter revision, chapter 486 of the Acts of 1909, section 5, as follows:

"Section 5. Except as otherwise provided in this act, the organization, powers and duties of the executive departments of the city shall remain as constituted at the time when this section takes effect; but the mayor and city council at any time may by ordinance reorganize, consolidate, or abolish departments in whole or in part; transfer the duties, powers, and appropriations of one department to another in whole or in part; and establish new departments; and may increase, reduce, establish or abolish salaries of heads of departments or members of boards."

Pursuant to this charter provision, Mayor John F. Fitzgerald on September 15, 1910, submitted to the City Council a proposed ordinance requesting that Honorable Body to consider the repeal of existing ordinances dealing with the Superintendent of Streets, and establishing a new department, designating its title as Department of Public Works, defining its duties and establishing the salary of the Commissioner of Public Works.

The ordinance as proposed by Mayor Fitzgerald was amended by the City Council and passed November 14, 1910, and was approved in its amended form by the Mayor. In the same year of that Body's existence this ordinance, chapter 9 of the Ordinances of 1910, was amended by the Council and Mayor, January 30, 1911.

Tracing its history through the years, we find this ordinance appearing in substantially the same form, but ever in the course of change as conditions warranted, but always, when changed, changed by order passed in the City Council and approved by the Mayor. I refer you to the Revised Ordinances of 1914 and to the Revised Ordinances of 1925, the latest revision. (Incidentally, I think it is about time that we had a new revision.)

I have recited this legal history in detail in order to place upon the record the law and the facts as I understand them to be.

To this Body and to its predecessors during the past half century, and I have confined my detailed analysis of the law to this period, the Massachusetts Legislature has given the legal authority, in the statutes I have referred to, to ordain for the people of Boston concerning the grading and construction of sidewalks. This power having been granted, it may be exercised by the Council itself, or may be placed in any officer, board, or department of the city, with the approval of the Mayor, or may

be transferred from one board or officer to another board or officer, or retained by the Council itself, with approval of the Mayor. This power exists by clear legislative mandate and is set forth in special laws, including the Boston City Charter.

I have set forth the laws which are the source of the authority of City Council and Mayor to regulate sidewalks. Now, how have these laws been interpreted? Let us see what our Supreme Court has said on this matter. In the case of Attorney General versus Boston, 142 Mass. 200, the question for determination was whether an order passed by the Board of Aldermen on August 3, 1885, directing the removal of a sidewalk on Boylston street adjoining the Common was legal, and whether they were acting with authority.

The complainants, owners of real estate on Boylston street, contended that no power existed in the city government to cause the entire and permanent removal of a sidewalk on any paved street in Boston.

All prior statutes relating to sidewalks in Boston had been repealed by St. 1872, c. 303 (Pub. Sts. c. 50, 322) which was accepted by the city and in force at the time the order in the case at bar was passed.

The Court said: "The general power to construct sidewalks in all streets or not, whether macadamized or paved, must be construed as one which deals with the whole subject and places it within the control of the local authorities. It authorizes them, in their discretion, not merely to construct them or not, where they do not now exist, but to remove or dispense with them where they do exist, if in their judgment it is desirable."

If this be so, was the order to remove the sidewalk here in question passed by the proper authority? The complainants contended that, as the executive power of the city is vested in the Mayor, to be exercised through the several officers and boards of the city in their respective departments, under his general supervision and control, and as the power to dispense with or remove a sidewalk is executive or administrative strictly, these words being used in the statute, the order was illegal, as the Council was acting beyond its power. But, said the Court, and I quote:

"The power to determine whether public convenience requires the construction of a sidewalk, and equally so its removal involves the exercise of judgment not administrative only, and the exercise of the power is judicial in its character, although expressed in a legislative form."

Mind you, that is the Court's quote, not Councilor Linehan's quote, and I am going to repeat that (repeating quotation). The order was held valid and the petition of the property owners dismissed. That is, the Council at that time was acting within the law.

This law is still the law, having never been overruled. Am I to be hellelited because I rely on such judicial pronouncements, because I rely on the law of this Commonwealth, rather than on the law as expressed by editorial writers? Now let me proceed to the action of the Boston City Council upon which the *Herald* has based its fallacious reasoning, the action it alleges was a usurpation and a patent violation of the City Charter.

In 1938, on June 20, Mayor Maurice J. Tohin submitted to the City Council a proposed amendment to an ordinance concerning sidewalks and the use thereof. The Council referred this proposed ordinance to its Committee on Ordinances, which revised the Mayor's proposed ordinance by substituting in place of the words "Commissioner of Public Works" the words "City Council." The ordinance as revised was presented to the entire Body of the City Council on August 15, 1938, by Ordinance Committee Chairman George A. Murray. This revised ordinance was accepted without debate and was presented to Mayor Tobin and by him approved, August 31, 1938. This then, was the action referred to by some overzealous coveters as "patently a violation of the City Charter." Let's look at the legal talent in the Boston City Council in 1938, at the time the City Charter was "openly violated"! In that Honorable Body in 1938, in addition to Lawyer Murray, were the following distinguished attorneys: Henry L. Shattuck, now a member of the General Court; Charles I. Taylor, now a member of the State Senate; Edward A. Hutchinson, Jr., now an assistant Clerk of Court; Sidney Rosenherg, present Ballot Law Commissioner and former

Assistant Corporation Counsel; Robert Gardiner Wilson, Jr., now Judge of the Probate Court; James E. Agnew, subsequently the Corporation Counsel of the City of Boston.

Furthermore, at that time General Henry E. Parkman, Jr., former member of the City Council, former member of the Massachusetts Senate, former candidate for Mayor of Boston, and later to be top legal advisor to the War Department during the past war, was the Corporation Counsel of the City of Boston and the legal advisor to the Mayor and City Council.

Are these the men the *Boston Herald* would have you believe had "violated" our City Charter?

My whole concern in the matter of voting on the question of the power of the City Council relative to sidewalks—and I have here refrained from stating whether it might not be wiser to transfer that power elsewhere, for that question was not before us, although I did go on record at our last meeting as stating that I would favor placing that power elsewhere—has been to do my duty, and that is to study and interpret the laws and ordinances under which we labor here. I stand firmly, and repeat that the power over sidewalks is lodged in the City Council; that there has been no "usurpation of powers of a public works commissioner" by this Body; that the courageous and honest expression of the law as set forth and interpreted by our courts, and the adherence to that law, is not the conduct of a "wilful" man, nor of an obstinate or wayward councilor or lawyer, nor does it constitute contumacious conduct.

Towards my editorial critics as individuals I entertain no ill will, but towards them as fair minded moulders of public opinion, I feel that they have been derelict in their duty in that they attributed bad motives to one who has striven to study and understand the subject he voted on.

So, supported by judicial interpretations, and with my conscience satisfied that I have discharged my duty, I can repeat here that I am now more than ever convinced that my vote on last Monday was the correct vote, and not the vote of a procrastinator, an appeaser, or of a man who has not any reason for his vote other than expediency.

Mr. President, fellow members, I have stated the reasons for my dissent to the unwarranted and intemperate language used by the editor of the *Boston Herald*. I am conscious of having detained you too long, but I could not suppress the utterance of my feelings on this subject. I will only state that in this, and in every proposal that has come to my attention in this Body, I have always sought one goal—the best interest of the community, and a better, cleaner and more prosperous City of Boston. I have always been mindful of the sage words of the great Emerson in his admonition to the citizens of Boston:

"Let her stand fast by herself. She has grown great. She is filled with strangers, but she can only prosper by adhering to her faith. Let every child that is born of her and every child of her adoption see to it to keep the name of Boston as clean as the sun; and in distant ages her motto shall be the prayer of millions on all the hills that gird the town, 'As with our fathers, so may God be with us.'"

SCUT PATRIBUS, SIT DEUS NOBIS, right in the seal of the City of Boston.

EXECUTIVE COMMITTEE REPORTS.

1. Report on message of Mayor and order (referred February 10) for appropriation of \$60,000 from income of General Cemetery Fund to be expended for Cemetery Division Maintenance and Improvement, under direction of Park Commissioner—that same ought to pass.

Report accepted.

2. Report on message of the Mayor and order (referred March 24) for appropriation of \$14,500 for jail improvements—that same ought to pass.

Report accepted.

3. Report on message of the Mayor and order (referred March 24) increasing appropriations for Fire Department \$69,000, for Institutions Department \$6,000, for Registry of Deeds \$12,000—that same ought to pass.

Report accepted.

REPORT OF COMMITTEE ON APPROPRIATIONS.

Coun. FISH, for the Committee on Appropriations, submitted the following:

1. Report on message of the Mayor and budget for 1947 (referred February 3)—recommending that same ought to pass.

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

Coun. FISH—Mr. President.

Coun. BAYLEY—Mr. President.

President KELLY—Councilor Fish.

Coun. FISH—Mr. President, I propose to be very brief in my remarks. In submitting this budget, as chairman of our Appropriations Committee, I do so fully satisfied that I have conducted thorough and lengthy hearings at which all department heads were present to explain fully their views and their reasons for the sums requested. I know that there are those among this Body who do not see it as I do. They will undoubtedly express their personal opinions before the final vote is taken, and I believe their opinions should be listened to and should in some measure guide us in our final vote. The reason for brevity is that I am not going to anticipate their views on specific items at this time, not knowing what they may be, but I will to the best of my ability do so on the specific matters as they are brought up. I wish, however, to make one observation. Although larger than last year's budget by some six millions of dollars, possibly, to be nearer exact, \$6,300,000, for reasons which you will find printed in condensed form in the pamphlets which I have placed on your desks and of which I would suggest you read the first few pages, I feel that this increase as compared to increases being put into effect in state budgets, federal budgets, and municipal budgets throughout the country, is not out of line with those budgets, and the over-all budget can be considered as conservative. There is one item, however, that in fairness to the committee I wish to draw to the attention of the entire Council Body. That is the item in the Election Department of the figure of 15 custodians, \$45,000. The committee could not determine themselves whether or not there was real necessity for this amount. However, they have given the benefit of the doubt to the Election Department that it does require their services for that particular work. I assured the committee on the budget that I would call that matter specifically to the attention of the entire Body and will let it determine as it will as to whether the committee acted wisely, or unwisely, and whether they want it or whether they don't. I want to thank now the President of this Body for his confidence in me and in my ability to serve as chairman of this committee. I want to thank the members of the Council for their cooperation in the lengthy hearings we had, and also I want to thank the department heads for the fair answers which they gave to the committee. Thank you.

Coun. BAYLEY—Mr. President.

President KELLY—Councilor Bayley, for what purpose does the gentleman arise?

Coun. BAYLEY—Mr. President, this is going to cause a debate of some duration, I feel, and at this time I make the motion that consideration of the budget be put off until we have a chance to go into Executive Session and then come back and debate about it. I move it be postponed until after we come back from Executive.

Coun. FISH—Mr. President, is this motion to refer it to the Executive or to put it off until after the session?

President KELLY—To postpone action on the budget until after the Executive Session. All those in favor say "aye," those opposed "no." The ayes have it, and action on the budget will be placed after the Executive Session.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Report on petition of Boston Elevated Railway Company (referred March 3) for license to operate motor vehicles over Hill Top street, between Granite avenue and Hallet street, in either direction—recommending that leave be granted.

Report accepted; leave granted under usual conditions.

MUNICIPAL STADIUM, CHARLESTOWN.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to construct a municipal stadium on the site of the John J. Ryan Field, commonly called the Sullivan Square Playground, in the Sullivan Square section of Ward 2, Charlestown, Boston, because of the recent rejection by the Legislature of his request to be permitted to sell this property for commercial purposes.

Coun. KINSELLA—Mr. President, just briefly on this order, on April 22, 1946, according to the minutes of the meeting of that day, I filed a similar order, and I gave lengthy reasons which I will not repeat here but which for the Mayor's benefit might be perused at leisure. Later, I noticed on the sports pages of the various Boston papers some agitation for the erection of municipal stadia for the purpose of playing schoolboys' games. We have many thousands of growing young people in Boston, and they have no place where they may develop their talents, and I believe, as I think everyone else believes, that it is far cheaper in the long run to construct stadia with the attendant cost of equipment and the personnel to start them, than it is to conduct courtroom sessions of the boys and girls who get out of hand because they have no place to go. I do hope sincerely the Mayor will look upon this more than favorably, because it is not designed as a vote getter. It is immaterial to me when the Mayor does this if he promises to do it at the most propitious time. It should be borne in mind Sullivan square in Charlestown is the one location in Boston that very definitely services the entire city and some portions of the greater Boston area which are outside the corporate limits of the city. We could construct a field there seating 25,000 spectators, and it gives an area so tremendous in size we might consider an allowance for a football field, a skating rink, and a baseball diamond. It would not be a Charlestown project, it would be a city project, and I think because of the need for stadia throughout the city that site might very well be used rather than be allowed to become worse than it is currently and has been for some years. I do hope Mayor Curley makes an honest and sincere effort toward solving one of our municipal problems by the erection of the stadium in Charlestown, as sincere an effort as he has made toward solving one of the greatest health problems we have had in the history of the district, namely, the construction of swimming pools on the Doherty Heights property in Charlestown for those people who formerly patronized the beach long since condemned for bathing purposes. I hope the Mayor will consult the record of April 26, 1946, for the reasons I advanced then and which are as sound and valid today. I ask the suspension of the rules and the passage of the order.

The order was passed under suspension of the rules.

ACCEPTANCE OF BRAYTON WAY,
WARD 22.

Coun. MADDEN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept, lay out, and construct as a public highway Brayton way, Ward 22.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of United States Coast Guard (referred March 3) to be reimbursed for overpayment of water bills during 1943, 1944, and 1945—recommending passage of accompanying order:

Ordered, That there be allowed and paid to the United States Coast Guard the sum of three thousand five hundred sixty-eight and 42-100 dollars (\$3,568.42) in compensation for overpayment on water bills assessed at the premises numbered 466-490 Hanover street during the years 1943, 1944, and 1945, in accordance with the recommendation of the Division Engineer of the Water Department, said sum to be paid from the Water Income Division.

Report accepted; said order passed.

LIGHTING AT EDWARD EVERETT
SQUARE, ETC.

Coun. LINEHAN offered the following:

Ordered, That his Honor the Mayor request the Traffic Commissioner and the Commissioner of Public Works to make a survey and install traffic lights in the vicinity of Edward Everett square and Massachusetts avenue and also to install many more electric street lights in order that the surrounding area at Edward Everett square may be adequately lighted so that accidents both to motorists and pedestrians may be diminished.

Passed under suspension of the rules.

LANDSCAPING AT OLD HARBOR VILLAGE.

Coun. LINEHAN offered the following:

Whereas, The landscaping conditions of Old Harbor Village are in very poor condition at the present time due to all of the underground work that was done on the utilities, be it

Ordered, That his Honor the Mayor request the members of the Boston Housing Authority to re-landscape Old Harbor Village in the very near future.

Passed under suspension of the rules.

RECESS.

The Council voted to take a recess at 3 p. m., on motion of Councilor McCormack, subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 4 p. m.

BUDGET FOR 1947.

President KELLY—The Council will be in order. The question now before the Body is the passage of the budget, and the Clerk will kindly state what the question is.

The order for the passage of the budget was read.

President KELLY—The question is on the passage of the budget.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase.

Coun. CHASE—Mr. President, I move, sir, that Item A under Personal Services of the Board of Assessors be reduced by \$22,000. Mr. President, I make this motion, sir, having in mind that during the past year the Board of Assessors has granted about \$130,000,000-odd in tax abatements, actually taking, sir, from the city treasury four and one half million dollars in cash refunds. Mr. President, it has been called to my attention by many prominent citizens in Boston that they believed many, if not most, of these abatements, are not justified. Having in mind that this particular department has been functioning apparently exclusively with his Honor the Mayor so that no one in the city actually knows what they are doing other than his Honor the Mayor, I believe at this time, sir, we should reduce their particular budget by that sum of money. The Boston Board of Assessors is composed of five men—the Chairman, who receives \$7,500, and four others, who receive \$6,000 a year. Their budget is now before us for approval. Are we to be expected, sir, to pass on this budget favorably without knowing what sort of work the Board of Assessors have been doing? We all know, sir, they have granted tremendous amounts in abatements. Your Honorable Body has in the past several months through the medium of orders adopted requested the Board of Assessors, through his Honor the Mayor, to give to this branch of the government a list of all the names and addresses of the property owners who have received abatements from \$20,000 each for the year 1946 and the year 1945. I submit to you, sir, the Board of Assessors and his Honor the Mayor have had ample opportunity to comply with that reasonable request. His Honor the Mayor and the Board of Assessors apparently defied this Council, yet his Honor the Mayor has submitted to us this appropriation bill of \$63,000,000, expecting us to pass favorably upon it. Sir, I say that we have the authority, the actual authority, to delve into the abatements granted by your Board of Assessors, and I say, sir, we have the implied authority given to us by

the Legislature in our charter when they said the Council shall pass on the Mayor's annual budget. We have that authority to deny the Board of Assessors their annual salaries if we are dissatisfied with the way they function in business. We have that implied authority to tell his Honor the Mayor that we are reducing the Board of Assessors' budget, the salaries we are striking from the Assessing Department budget, the salaries of the Board of Assessors, because we have in mind that they have not coupled with the law, that they have not been carrying out their duties properly, and that his Honor the Mayor should engage a new Board of Assessors. Now, sir, I think you will agree with me that four and one half million dollars in refunds is an awful lot of money to be taken from the city treasury and yet, sir, only six men are responsible for these tax abatements, his Honor the Mayor and the five members of the Board of Assessors. It has been contended, sir, by a number of the members of your Body that we have no authority to inquire into the merits of the abatements, but, sir, the Legislature has given to us this authority of passing on their budget and through that authority, sir, we can strike from that particular budget the salaries of the Board of Assessors. I say to each and every member of this Body that you have on two different occasions requested—

Coun. COOK—Mr. President.

President KELLY—Councilor Cook, for what purpose does the gentleman arise?

Coun. COOK—A point of order, Mr. President.
President KELLY—State your point of order, councilor.

Coun. COOK—Mr. President, it is my understanding the salaries of the Board of Assessors are set by statute; therefore, any cut in the appropriation by the City Council would not affect them in the slightest.

President KELLY—The salaries are regulated by statute, councilor, but the Council has the right to move that no money be appropriated for these salaries. Councilor Chase.

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. MUCHNICK—A point of information.

President KELLY—State your point of information, councilor. Does Councilor Chase yield for a point of information?

Coun. CHASE—I do not yield, sir.

Coun. MUCHNICK—Mr. President, do I understand —

President KELLY—Councilor Muchnick, for what purpose does the gentleman arise?

Coun. MUCHNICK—A point of order.

President KELLY—Will you state your point of order, councilor?

Coun. MUCHNICK—Do I understand the gentleman has to yield for a point of information?

President KELLY—That is right, councilor.

Coun. MUCHNICK—I think if you will examine the rules, Mr. President, you will find that is not so.

President KELLY—The Chair is satisfied he is correct in his ruling.

Coun. MUCHNICK—I am not.

President KELLY—Councilor Chase.

Coun. CHASE—May I remind each and every member of this Body that on two different occasions this Body saw fit unanimously to request from his Honor the Mayor and from the Board of Assessors a complete list of those who received abatements over \$20,000, and on two different occasions, Mr. President, his Honor the Mayor and the Board of Assessors saw fit to deny us that information. Now, sir, are we willing to accept such a score? Aren't we the elected members of the City Council? Aren't we here for the purpose of watching the city treasury and protecting the city treasury? Aren't we entitled to this information? Someone tell me, sir. I received a reply today from the Commissioner on Taxation as to whether we have the actual authority to get this information, and his reply was he was not certain. Sir, I say that we have the authority to say to his Honor the Mayor that we are not appropriating any money for the Board of Assessors' salaries for the year 1947 because we don't like the work they have been doing. We can say, "Get yourself a new Board of Assessors." We don't want any more millions of dollars wrongfully taken from the city treasury. We want to know why so many millions of dollars have been granted in abatements. We want your Board of Assessors to justify their reasons for granting \$140,000,000 worth of abatements, and you have given us no reason or justification,

and because of that we are striking out their salaries." Mr. President, it is a very important matter I am discussing. This matter of tax abatements, in my opinion, involves a question which is very material on your tax rate, and your taxpayers, yes, the citizens and the voters who put us here to represent them expect us to protect them on their taxes. Yet, sir, here we are, 22 elected members of your city government being defied by one man elected with five of his appointees. It does not make sense, Mr. President, especially when we have the power to say, "Either cooperate or you won't get your salaries." I venture to say, sir, if the members of your Council do not see fit to go along to reduce this, that their negative vote is in substance, "Go ahead, Mr. Mayor. Go ahead, Board of Assessors, and rob and plunder the city. You had four and one half million dollars in cash last year and you gave out \$140,000,000 worth of abatements last year. Go ahead, continue robbing the city. Nobody will inquire into it. We, the elected officials, the only ones responsible, don't care to act." That, in substance, sir, will be what your votes in the negative mean. I hope, sir, the Body goes along with my motion.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick.

Coun. MUCHNICK—I would like to point out merely one thing—that if we reduce this A item by \$31,500 it does not necessarily mean that we are eliminating the salaries of the five members of the Board of Assessors. It merely means we are reducing the A item by that amount of money and if the Board of Assessors wishes to fire or not pay sufficient clerks whose salaries make up that total, they can do it that way. The object the councilor is trying to achieve cannot be achieved in this fashion, and I merely want that called to the attention of the Body. If the councilor wants the members of the Board of Assessors to furnish us with certain information, with that I agree. Any information to which we are entitled I, too, would like to get, but I see no point in acting on the amendment as he suggests when it not only won't serve the purpose he tries to achieve but will only help toward eliminating the salaries of some persons in the department whose help, I assume, we need.

President KELLY—The question is on the amendment.

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linehan.

Coun. LINEHAN—As one of the councilors I believe in trying to save money in the proper manner if possible, I don't want to see any waste in this budget, but I would like to be sure before I vote on cuts that the cuts are justified. In this particular case, the gentleman from Ward 4 (Councilor Chase) said that some people have said that most of these abatements are unjust. It seems to me there should be a campaign to find out from these people why they are unjust and who the people are who are giving out these abatements in an unjust manner because, after all, we are trying to find out what is being done in the city government, and I suggest this is the time it should be done, when there is a campaign on. It seems to me if these are big businessmen, they ought to cooperate with the Boston City Council and go to the Finance Commission to explain. Is this just a rumor again, or is it true? If it is true, I suggest the gentleman from Ward 4 should notify his informants that the informants can go to the proper people, such as the Finance Commission or the District Attorney, to present facts they have if they have any. If they have any, I for one will vote to do something about the Assessing Department, but until the gentleman from Ward 4 presents more definite evidence, other than he knows some people who say these things, I can't vote in good conscience along with him. After all, I don't know whether the Assessors are actually doing something wrong or illegal or, you might say, in collusion with lawyers. I know they have no collusion with me as a lawyer because I have not gone down there but for two people who own little homes in South Boston. So I don't know from my own experience whether or not there is collusion going on between lawyers and the Assessors. But if the gentleman from Ward 4 knows of such collusion, then I think it is his duty and the duty of his informants to go to the proper authorities and come forward with it. They came forward against the Boston City Council. I am sick and tired of its just being the City Councilors. Let us get everybody who might

be dishonest, and I don't think any member of the City Council should be saying anybody is dishonest unless he has evidence of that fact. I am for cutting down the budget if it can be done in the right way, but I don't want to say the Assessors are dishonest and throw them out of jobs unless I know as a matter of fact they are. I can't go along voting to cut out the Assessors on just rumors. Let us get the facts. I voted right along to try to get the facts from the Assessors. If we cannot get them through the Law Department, then it is up to us. We have no other alternative but to get a writ of mandamus and go to the Supreme Court to have it rule on whether or not the Assessors should give the City Councilors the information they desire; that is, the information as to who are getting the abatements. That is the only way we can find out whether or not the City Councilors should get the information relative to abatements. The gentleman from Ward 4 knows he can get it on particular instances if he wants to find out about the Little Building abatement. He can go down to the Assessing Department, and I presume under the law he can go down and get it. He cannot under the law according to some gentlemen in the Law Department and the Assessing Department through his Honor the Mayor who say we have not the authority. As a member of the City Council, I can't say whether we have or whether we have not. I can venture an opinion, but it still is not binding on this Body any more than the Corporation Counsel's opinion is binding. As I have said on many occasions, the Corporation Counsel can be wrong in his ruling, very easily wrong. So I say the only way you can get the truth as to whether this comes within our jurisdiction and whether we are entitled to this information is to have the gentleman from Ward 4 and these people who say these things should be made public, go to the Supreme Court through a writ of mandamus and find out whether or not we are entitled to the information. I don't think we should go along on this order because you might say it is a subterfuge, but if they are involved, I will vote to cut them all out of the budget but certainly before I vote I want to know there have been some dishonest dealings. So far the gentleman from Ward 4 has not on one occasion shown as a councilor and as a lawyer that they have been derelict in their duty. If he can, I will go along with this motion. Until he does, I can't.

Coun. CHASE—Mr. President.

President KELLY—The question is on the amendment to reduce the appropriation for the Board of Assessors \$22,000. Councilor Chase.

Coun. CHASE—Mr. President, not so long ago, sir, your Board of Assessors saw fit to grant several millions of dollars of abatements on the Little Building. Not so long ago, Mr. President, the Board of Assessors saw fit to grant a \$100,000 abatement on a parcel of property in my ward, a parcel of property, sir, on which for some reason the Board of Street Commissioners and his Honor the Mayor saw fit to enter into a scheme to pay \$25,000 to the same property owner for the sidewalk in front. Mr. President, I happen to reside in the near vicinity of the property which I last mentioned, and I can say, sir, that rents were increased, that all the stores in the property were rented. So that if anything, the Board of Assessors, especially because of apparently this inflationary period, should have increased the valuation but for some reason the Board of Assessors and his Honor the Mayor saw fit to decrease the valuation by \$100,000 and apparently they wanted to disfigure the street; they wanted to cut the sidewalk to take away from the citizens of Boston the sidewalk in front of Symphony Hall on Huntington avenue and reduce it to three feet in size in front of the subway and to make the people walk in the middle of the road and to place their lives in jeopardy. Why? Because the man who has the property and got the \$100,000 abatement was going to sell the sidewalk to the city for \$25,000. Sir, I have been in public office a long time. Things like that don't just happen. It is not mere coincidence. There is a little funny play there somewhere. You can't tell me, Mr. President, the Board of Assessors was justified in giving this tremendous abatement on the Little Building. All the properties at the intersection of Boylston street and Tremont street were jacked up in assessed valuations and then for some reason the Little Building was given a reduction. Bear in mind, the Little Building had jacked its rents up. There were no vacancies at all in the building, and yet

they were given, I think, about a million and a half in abatements. Instead of giving abatements, if the Assessors were doing the right thing, they probably should have increased the valuation still a little more. In any event, Mr. President, all the surrounding properties, the Hotel Touraine, the Hayes-Bickford lunch property, the Colonial Building, all those properties in that particular vicinity, their assessments stayed as is. Those are only two examples, sir, that I am aware of and that I have information on. That information caused me to become a little more curious, and I introduced an order in the Council several months ago asking his Honor the Mayor to have the Board of Assessors give us a complete list of all the abatements passed for the year 1946, and the order was unanimously adopted and apparently sent down to the Mayor's Office. We were patient, Mr. President, we waited a month, and no information came to us, and I introduced another order, and that order was amended to include the year 1945, and that order was unanimously adopted and sent down to his Honor the Mayor. Still we did not get any answer. Now, what are we supposed to do? Are we supposed to ask his Honor the Mayor for information and have him turn around and say, "Who are you? You are not entitled to any information, you are no one. I am the czar of Boston, I run the city. It is true you were elected by the people in your respective wards to act as City Councilors, it is true you have the power to reduce my \$63,000,000 budget but notwithstanding all that, to bell with you, I am not going to give you any information." That is exactly what he told me last year when you delegated me as a committee of one to go to the Mayor's Office. He said he would not give me any information. Mr. President, I don't know how you and individual members of this Body feel about this, but I think, sir, that the taxpayers of Boston expect us in passing this budget, the voters of the city expect us to get all the necessary information on each department as to whether those departments are functioning properly before we pass their respective budgets. That is our job. It is a pretty broad authority we have, and regardless of the criticism of the City Council not having authority, we have the greatest authority in the world; in my opinion, the power to appropriate money, sir, is a pretty broad authority. You can bring his Honor the Mayor right down to his knees today on any subject that you desire because you can hold his budget up or you can hold any department budget up because you have that authority, and his Honor the Mayor will come in talking if you take that avenue. Now, knowing we have all this authority, are we to be expected by the taxpayers of Boston to have the Mayor thwart us on every avenue when we try to get information on behalf of the taxpayers? Are we to be expected to take this all lightly and say, "Well, he is a good fellow, let him have his \$63,000,000 although he won't give us any information, even though he helittles us?" No, Mr. President, I say in view of the fact that we have this broad authority, let us exercise it, let us say to his Honor the Mayor, "We mean business, we want this information, we want to know in order for us to know whether or not the Board of Assessors is functioning properly." To date, we have not had that information and I hope, sir, the members of your Body will go along with my motion.

President KELLY—The question is on the motion to reduce the budget of the Assessing Department by \$22,000. All those in favor say "aye," those opposed "no." It is not a vote.

Coun. CHASE—I don't vote.

President KELLY—Councilor Chase doubts the vote and asks for a roll call, but not sufficient members having joined, the motion is lost.

Coun. BAYLEY—Mr. President.

Coun. COOK—Mr. President.

President KELLY—Councilor Bayley is recognized.

Coun. BAYLEY—Mr. President, speaking on the budget and on reducing items in the budget. Mr. President, it has been stated in the papers that the increase in the budget this year, an increase of more than \$6,300,000, would result in a tax rate of nearly \$50. We as members of the City Council have the duty if we can to cut items from the budget which we feel are not necessary. Mr. President, I attended the meetings of the Appropriations Committee very faithfully, and I believe, with the exception of the chairman, I was present more than any member of the committee. I had served on that committee three years, but this year

I was not appointed. In fact, there was only one member of the committee present, according to the headlines of the *Christian Science Monitor*, when they opened the budget hearings—a committee of one opened the meeting on the Boston budget. I don't think we should necessarily go along with the recommendations when only two or at the most three were present at most of the hearings; only one member save outsiders was there. I was impressed during the hearings—not impressed, I would say I was disappointed—to find most of the departments wanted a great deal of increase in items B, C, D and E, having to do with contractual equipment, supplies and materials. I also noted that the City Auditor, Charles J. Fox, in whom I have the greatest confidence, said that he did not believe it was necessary to increase the budget for equipment and for a variety of the increases. Yet, all the departments came in with increases of from 10 to 25 per cent. It was my intention to move, except for the hospital, Sanatorium and Long Island Hospital, Veterans' Services and Public Welfare, that all items under B, C, D and E be cut at least 5 per cent. That would make a total saving of about \$478,867.72. Further, if we would apply the cut to the special appropriations of the city, county and revenue departments, it would amount to an added \$163,920, or a total sum of \$642,788. I believe that would work no hardship on any department concerned, but I have been informed by the City Clerk that I would have to make specific reductions, and that I cannot make a motion to reduce all of the B, C, D and E items except those I have mentioned by 5 per cent. Is that correct?

President KELLY—Where the budget is segregated this year, you have to specify each item individually.

Coun. BAYLEY—Thank you, Mr. President. I am going to make a motion—

Coun. MUCHNICK—Mr. President.

President KELLY—Councillor Muchnick, for what purpose does the gentleman arise?

Coun. MUCHNICK—I wonder if the gentleman will yield for one question.

President KELLY—Councillor Bayley, will you yield for one question?

Coun. BAYLEY—Yes, one question.

Coun. MUCHNICK—Mr. President, assuming these savings of between four and six hundred thousand dollars were effected, how much would that mean by way of reduction in the tax rate?

President KELLY—Councillor Bayley?

Coun. BAYLEY—Mr. President, I understand 70 cents is saved, or approximately that, on each million dollars.

President KELLY—That is correct, councillor.

Coun. BAYLEY—Mr. President, then I shall have to take up some of the items separately. Mr. President, I move that \$35,000 be cut out of the A-1 item of the Election Department. Mr. President, I make that motion because it has come to our attention that there have been appointed ten custodians of voting machines at \$3,000 each annually, and that there was a provision in the budget for five more custodians of voting machines at \$3,000, or a total of \$45,000. I do not move for the entire reduction of the \$45,000 because two of the custodians were former members of the Election Department and because some of the salaries may have been paid, but I do move for that \$35,000 reduction in the A-1 item of the Election Department. Mr. President, we had a communication from the Finance Commission of the City of Boston, and I quote from it:

"There is no need to build up an entirely new force of city employees to take care of the machines already purchased. The provision in the budget for fifteen custodians at \$3,000 a year should be eliminated. The expenditure of this sum for the purpose intended is definitely unjustifiable."

Mr. President, in Hartford, which has a great many voting machines, there is one man, a mechanic, who looks after the machines, and in Brookline, no custodian is needed to look after the machines. It is suggested in these cities where they have one or possibly two men, that they must be engineers, but according to the record I have in front of me, looking over the records of these ten custodians, I fail to find that any of them are engineers. One was an inspector in the permit office. Another one is a paving inspector and bartender. Another one is a driver of a railway express truck. Another one is a clerk in the Bureau of Internal Revenue, and two men were members of the Election Department. Another is a laborer doing clerical work in the

Public Works Department garage. Another one is a lawyer. Another one, previous occupation unknown, and another one, assistant director of Public Celebrations in Boston. Mr. President, I don't think it is necessary to have these men. I quote from a Boston newspaper regarding the hearing held by the Finance Commission at which a member of the Election Commission appeared and in which it was said:

"Michael J. Manning of the Election Commission has informed the Finance Commission that these ten employees will be used for mechanical work and for educating the public in the use of voting machines. At present, he said they are studying precinct lines for proposed reduction in the number of precincts. What the regular members of the Election Department are doing, he did not say. 'As the probe got under way, it was pointed out by some observers that other Massachusetts cities have not found it necessary to appoint special custodians for the machines. The special voting machine custodians get \$57 a week for watching machines stored in buildings where regular city custodians get \$40 a week for general supervision.'

Mr. President, I have seen those voting machines and made a trip around in December to see a great many of them. They are covered, as the Finance Commission says, with tarpaulin, and they are mostly in school buildings and a few in public buildings. They are covered by big tarpaulins. I was concerned with the recount, to get the correct figure, and the tarpaulins were pulled off, and then we took the figure in front of the election machine. In all these buildings there are custodians who keep a generally watchful eye over the machines. Usually they are stored in the basement. There is no need for any repair work to be done on them, and there is no need for anybody to watch over them and I don't know just what these ten custodians are going to do. According to the Finance Commission report, and I quote:

"Ten people report at Room 108 daily. They do clerical work, go out in the field. . . . One custodian gives assignments. The Board tells him about certain work decided upon. Asked if he (Manning) knows the nature of any assignments, he said, 'Repairing tarpaulins. When they are ripped, the custodians sew them.' Asked who would do the clerical work if they didn't, he said, 'I don't think the necessity would exist, to my knowledge.' Asked again who would do it if they didn't, he said, 'I can't intelligently answer that question.'"

Mr. President, we have seen an increase of employees both permanent and temporary, and here we have a flagrant case of adding ten custodians of voting machines, and presumably five more in the future, for jobs that are not necessary. It seems to me, Mr. Chairman, that these men are not so experienced at needlework they could learn how to sew tarpaulins that are not taken off the machines except in recounts. It has not been shown they can do clerical work which can now be and has been performed by the Election Department employees. I think it is unfair to those who are in the Election Department, to those employees who work hard and faithfully at their jobs, and I might say at a salary of less than \$3,000 a year, to have ten men come in getting these soft jobs for doing practically nothing. They may be of use during election, and there is to be only one this year, but they are all unused now, and it is a farce that they are sewing tarpaulins or doing clerical work which can be done by regular members of the Election Department who are not paid as much. I think they got these jobs largely through political "pull." They have not any mechanical ability such as is required in other cities which have possibly one or two custodians, and certainly one or two custodians should be able to do the job here in Boston. Now, Mr. President, here is a chance to show we are really serious in trying to reduce the budget. I took this up with the Appropriations Committee members and it must be admitted, some of the Appropriation Committee members did not attend those meetings, so that I don't think you have to go along with them, but I do think from hearing about it now that we have a chance to show that we do not believe in putting on 15 officials criticized by the Finance Commission, who are doing jobs of sewing tarpaulins or clerical work and when the Election Commissioner cannot say what they are doing. I hope the Council will go along and take \$35,000 out of the A-1 items so that the custodians may

he sent to do work in private employment because they are not needed in public service.

Coun. MUCHNICK—Mr. President,

President KELLY—Councilor Muchnick, for what purpose does the gentleman arise?

Coun. MUCHNICK—A point of information, Mr. President.

President KELLY—State your point of information.

Coun. MUCHNICK—Do we have in our power the right to earmark specifically this \$35,000 if removed from the A-1 item if it is for the dismissal of those employees?

President KELLY—We do not have it in our power. We have it in our power to reduce the A, Personal Service appropriation, but we do not have it in our power to earmark any reduction.

Coun. MUCHNICK—Under those circumstances, I move that Councilor Bayley's proposal be amended so that it carry with it a recommendation it apply to these employees.

Coun. BAYLEY—I am glad to accept that amendment.

President KELLY—The Chair will rule the further amendment is not in order. We either accept or reject Councilor Bayley's motion.

Coun. CHASE—Mr. President.

President KELLY—Councilor Chase.

Coun. CHASE—Mr. President, I don't believe that these custodians have any civil service rating and I believe, sir, most of your other department workers are protected under the civil service laws. Hence, Mr. President, if we reduce this budget, this item on the budget, by \$35,000, it will through necessity affect only the custodians because your civil service employees are protected by the civil service laws. Since the custodians are not under civil service protection, they are the only ones who could be fired. Mr. President, I am very much in favor of this motion, and I frankly cannot conceive, sir, how and why it is necessary to have 15 men just watching over machines when they are not in activity, when they are stored away in city buildings, and why you need 15 men at \$3,000 each annually to watch over them is beyond my comprehension, unless his Honor the Mayor desires to take care of some of his political pets and apparently, sir, that is the obvious reason. I am very much in favor, sir, that the \$35,000 motion be adopted. I think in any event the two men who are already city employees and who will not be affected by this \$35,000 reduction will be plenty to take ample protection of these machines, once they are acquainted with the job. I hope, sir, the Body goes along with the motion.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Mr. President, from what little I know of the item referred to in the budget, I would say it is \$30,000 earmarked for ten at \$3,000, and if the future proves they need five more at \$3,000, the whole \$45,000 can be readily and very easily and very understandably explained. I have not made any study of the subject any more than anyone else, but I happen to have in mind that presently we have something in the neighborhood of \$400,000 of machines. I don't know what the future is going to hold either for the City Council as such or for the electorate of this city—by what means they will vote. There has been some newspaper talk which relates to the machines, that possibly the machines won't serve the purpose when a certain type of election is foisted on the people of Boston by the Legislature. That is an entirely serious matter to contemplate. Let us assume, Mr. President, that the investment the City of Boston makes in further machines,—and I have no knowledge of them in advance of anybody,—that the further investment will give the City of Boston ownership of something like three quarters of a million dollars of voting machines alone, and \$45,000 is considerably less than 10 per cent of the cost for custodians' care. Some one has mentioned a place, I think he said Waterbury, Connecticut, or some city in Connecticut,—Hartford, Connecticut, which does not begin to approach Boston in area or in voting strength. It may very well be down there the alignment of wards and precincts is such that in giving custodian care to their machines it is a far easier proposition than it is in Boston. We have a large and sprawling city running from the Dedham line in one direction to the Somerville line in the other, and it is quite obvious that with these machines stored away between election days in permanent public buildings they do require and should require and should

he getting full and constant care and attention to protect the city's investment. It is not a matter of taking sides, it is a matter of good business sense. Why have \$400,000 at the present time invested and deny an item of less than 10 per cent in a year for custodial care? I ask the members of your Body who are interested in this item, and I think we all are, to anticipate the cost of giving proper care and attention, and for making minor repairs as they are required to those hundreds of machines we have at the present time, and if the manufacturer is asked to extend that care and custodianship. I don't know where the machines were hought, but they were hought outside of Boston, and if we have one machine today out of order, the City of Boston would have to pay for the transportation back and forth of a mechanic from that company to come over here and make the repairs and to pay for whatever length of time he stayed in the city. Here we have on call any day in the week, any minute of the day, at less than \$60 a week ten men at the present time, and tentatively five more. There is no certainty those five will be put on, but the total of \$45,000 annual salary of 15 custodians of voting machines seems to me to be a minor item in the total cost of the machines. To allay your fears, there is no intention of putting ten new custodians on for every \$300,000 of purchases. That is so preposterous that if there was the slightest question about that, I would go along with the gentleman from Ward 5.

President KELLY—The Chair will call Councilor Sullivan to the chair.

Councilor SULLIVAN in the chair.

Chairman SULLIVAN—Go ahead, Councilor Kinsella.

Coun. KINSELLA—Mr. Chairman, I believe I have given some basic reasons without any flourishes for the support of this item in the budget. I don't think we ought to earmark it for the discharge of men we have not yet hired, nor do I think we ought to earmark it for the discharge of men currently employed in the capacity of custodians of voting machines. We have a lot of property in the city worth many millions of dollars and no one, no one mind you, makes an issue of paying the custodians of a public building worth on the hooks a quarter of a million dollars, and which deteriorates every day, a salary of \$2,500 to \$3,000 a year. Why, on an investment on brand new machines,—brand new machines worth better than a quarter of a million dollars and whose value to the city may prove incalculable—and I think we are for honest elections around here, should we deny that item which in percentage reduces itself in cost every time a purchase is made? If it is 10 per cent today on \$400,000 worth of machines, and in the course of the calendar year another \$400,000 of machines are hought, it is obvious if you don't increase the number of custodians then you do decrease the cost of custodial care in percentage, at least, because \$45,000 for \$400,000 investment is roughly 10 per cent. If the investment is \$500,000, your percentage for custodial care is obviously 5 per cent. It seems to me spending 20 cents on the dollar is cheap enough for the protection these machines are going to give to the electorate of the city. We have seen them in operation, they are beautiful pieces of somebody's genius, they are the products of brilliant minds. Why do we want to leave them alone and unattended from one election day to the next, and suddenly discover by one means or another they have become a disservice? Then those precincts won't be allowed to vote because no provision would have been made for paper ballots. It is not making a job for anyone, and I do not have any interest, in so far as protecting anyone not now a custodian or who will be a custodian, because presently no one comes from Ward 2, and neither do I contemplate anyone from Ward 2 will profit from any appointment made in the future, but it is a matter of plain common sense to give a rich investment the best care that you can give it, and \$45,000, even though we may not use the other five men, but they are provided for, is a small enough custodial fee on an investment that may in a year's time be a total of a million dollars to the people of this city who must pay for the machines.

Coun. RUSSO—Mr. President.

Chairman SULLIVAN—Councilor Russo.

Coun. RUSSO—Mr. President, in looking over the budget and hearing the discussion we have

at hand now on the Election Department, I have not come to any conclusion as yet on the councilor's motion to reduce the budget by approximately \$45,000. I find, however, we have here on A, Personal Service, temporary employees in the amount of \$57,000. I believe and I presume the Committee on Appropriations must have been satisfied to the extent that some temporary work is needed in the Election Department. Therefore, I don't know if the Council will vote on this particular measure if that item did not come from the item, temporary employees; therefore, perhaps we hit the individual who is least expected to be hit. Realizing also we have not the power to earmark the reduction of various items, we do, though, like to specify where the reduction should be made. The probabilities are that these temporary employees are the ones who are doing their work, that they have done their work, and still are required in that department in order for the department to function, and they might be the ones who would be eliminated if this motion goes through. If the councilor has any particular other information in order to at least help me and to help perhaps other members of the Council to arrive at a conclusion, we should be given that information. I can't see for the life of me how I can go along and vote to reduce this by \$45,000, knowing full well that perhaps the individual who has been doing his work and has done his work and is still required by the department, may be the one who will suffer the most.

Coun. COOK—Mr. President.

Chairman SULLIVAN—Councilor Cook.

Coun. COOK—Mr. President, I hereby move to amend Councilor Bayley's motion, that a 2 per cent cut be made in the whole budget, which would amount to approximately \$1,261,000.

Chairman SULLIVAN—That is the entire budget, councilor?

Coun. COOK—The entire budget.

Chairman SULLIVAN—Including county and revenue departments. The motion is in order, Councilor Cook.

Coun. COOK—Mr. President, I have been listening to arguments this year and have listened to them last year. We in the Council are at the stage where we must show the city and ourselves and our districts whether the little power that we have under our city charter will be used for the best interest of the city, or whether the attack made on the ward system of councilors, namely, sectionalism, is justified. I have been in the forefront in opposing Plan E and opposing a nine-man Council, and I have told the Legislature, through its Committee on Cities, that the way to secure a good council and good government is to give the City Council more power. Certainly, if we abuse the little power we have they would never give us any more power, no matter what change they make in the municipal government. You may ask how I arrived at the figure of approximately over \$1,200,000. I did not attend all of the Appropriation Committee meetings. I was on the committee last year but I was not on it this year. I don't think any one of us has to be on the committee, so far as I can see, because it is the same procession of department heads who give the same stock answers, and I am convinced most of your department heads would be satisfied to have it cut. They are trying to do a good job, but due to some psychology of the executive office which tries to please a lot of people who have helped the executive office become the executive office, employees are thrown in departments which department heads neither wish nor can use. Now, substantially, what cuts could be made this year? I know I will immediately be attacked because we all realize when we cut the budget we must cut on employees, and we also find out if we cut we cannot earmark it. That is why the councilor from Ward 4 (Councilor Chase) in his motion might be diverted. He might get a \$22,000 or a \$30,000 cut and find out some clerks are discharged. The same with the councilor from Ward 5 (Councilor Bayley). We might find out with the \$35,000 cut from the Election Department, on the assumption they are going to discharge these custodians, that other employees are discharged. It is up to this Council to say to the executive department, "This is the cut that should be made." We can recommend where we think the cuts should be made, and this is where I think some of them can be made. I don't think we need any temporary employees in the county, revenue and city departments. So-called temporary employees which is just another name for

giving out jobs to political favorites, amount to over a half million dollars, close to \$700,000. The other cuts which will make up my \$1,261,000 could be very well accomplished in this manner: \$40,000 from that custodian item, in spite of the outward appearance of the argument just made about the need for custodians at \$3,000 a year for 300 machines which are under lock and key and under tarpaulins, and which are not used until election day. Every one of us here knows, and especially those of us who have had something to do with business ventures, he would be tickled to death to take care of those 300 machines for \$10,000 a year, to oil them after election day and be very happy about it, and we would not need 15 men to do it, and we certainly would not have the men appointed. I am amazed at the councilors, some of whom I have questioned, that they don't know any of the men who have been put on these jobs. One of them has four men from his district, and he has not been consulted. It seems to me as a political expedience the executive office would have gone through the motions of asking the councilor whether or not he approved a certain man being appointed. We have a general rule of law in our appointments that the man appointed is supposed to have some ability to do the job for which he is appointed. Certainly, on the basis of what the Finance Commission has discovered and from what I know of some of the men on the job, they have no more ability, special ability to be custodians of election machines than any kid I know of who goes to grammar school, and from what I hear going around the city, I doubt whether they spend an hour a week on the so-called job. I think really we who work day in and day out and get \$2,000 a year and who are subject to criticism from all over the city, and perhaps the city, would be jealous of the fact that \$2,000 a year should call for at least \$200 worth of work, and certainly these custodians do not do \$2 worth a year. The next item I would cut is on constables. We started off the year fine when we went along with the Mayor who said he would cut them down, I think, from over 100 constables to about 40. I don't think the constables are needed. I think if they had 25 constables in this city it would be enough. We could save \$50,000 by cutting out 25. Take a look at your Public Works Department, for instance, and see that you have 78 inspectors there and 25 constables. Who watches who? They are about as necessary as a banner in an election year after the election. We have had an item about garbage removal, and the increase is \$328,000. I tell you, with the times coming as they are, the contractors will be tickled to death to bid for the contract, and \$328,000 can be cut out of that item. Those are some more political pay-offs. It is a concomitant evil of being elected to office, and that is one of the reasons why a nine-man council will be no good, because very few of us or any of us could afford any election contest throughout the city without getting reasonably necessary expenses to advertise throughout the city as to who we were and what we could do, and in doing that we would necessarily get contributions from people who would expect us to pay them later on. That is what has happened throughout the city. The councilors ought to look back in their own records to find out what consideration has been given to any one of us from the Mayor's office. The only consideration I know of is, whenever something happens and the Council comes under a cloud, criticism is given from the Mayor's office. I have never seen any word come out of the Mayor's office praising us for what we have done. I am sick and tired of it. Of the 22 of us, not one councilor is given what he rightly deserves. One showed what he could do and booted the Mayor into getting something. Not all of us are going to do it that way. I propose to go along and to talk to each one of us as City Councilors about our powers and to recognize what we can do, and we will do it to the best of our ability and let us forget the little favors that may drip down or drip up from the Mayor's office, if we go along with him. Last year I voted to cut out the Municipal Employment Bureau. There is an expense there of over \$23,000, and I go along on saving it this year. Certain of the people hired there are good fellows. So what? Too many veterans in my district have approached me to get them jobs in private employment throughout the city. The Municipal Employment Bureau is just another place to shunt them off to, where they get the runaround. There

is the Municipal Employment Bureau and the Community Employment Bureau and the employment bureau down at the Veterans' Services, and then they go to the Veterans' Administration. It is just another horse on the merry-go-round, and we could very well do without it. I don't think they accomplish, or have accomplished anything since they were established. We got rid of the Board of Recreation since we have come in, and there has been no decrease in the amount of recreation in this city. I think if we got rid of them, two months later nobody would know anything about it.

Coun. CHASE—Mr. President.

Chairman SULLIVAN—Councilor Chase.

Coun. COOK—I don't yield.

Coun. CHASE—A point of order.

Chairman SULLIVAN—Councilor Chase, state your point of order.

Coun. CHASE—I think the gentleman is out of order. He is cutting a broad field in the entire budget. If I remember, the motion in effect is only on the Assessing Department.

Chairman SULLIVAN—The Chair will rule Councilor Cook is in order as he is speaking on the general reduction of 2 per cent on all items in the budget which if it carries, will eliminate Councilor Bayley's motion. Councilor Cook.

Coun. COOK—Mr. President, I am surprised at the interruption. It seems to me the councilor, if he is interested in the Assessing Department, after a year and a half should have been convinced the proper remedy was in the Legislature. He has been a member up there, and if he did not like that, he could go to the Supreme Court. He should know full well by now by a quick perusal of the law what he asks for is illegal, and the Supreme Court has said so on more than one occasion. I am trying to make a real cut in the budget.

Coun. CHASE—Mr. President.

Chairman SULLIVAN—Councilor Chase, for what purpose does the gentleman arise?

Coun. CHASE—A point of order. The gentleman is out of order in his comments.

Chairman SULLIVAN—Councilor Cook.

Coun. COOK—Gentleman, when we get to this decision where we have to decide that we want to make an honest cut, and it is the only cut to make, certain people are going to be hurt. We have to decide whether we are in favor of those people because they are good fellows or whether we care more about our districts and our city. You will find these so-called good fellows not only have those jobs but have other businesses or other jobs. Why are we so desirous of helping somebody and when the time comes you never see them at the Legislature coming to our defence or asking for something for the City Councilors? When I went to apply for a raise that is really needed for the City Councilors, who applied there? Three City Councilors. Nobody from the Municipal Employment Bureau, nobody from the custodians' bureau of election machines. When we had a question on the raise of two years ago, if all these employees whom we have been going to bat for, these so-called temporary employees, had gone out and asked their folks or relatives to vote for the raise, we would have gotten it. Remember those things. I asked at one of the Appropriation Committee meetings about this item of transportation. Out of curiosity, I went over the transportation items through all departments. For the city departments alone, transportation amounts to \$76,000 a year. In the county and revenue, about \$42,000 more, making a total of about \$119,000 for transportation. They say to you and to me: "It is because some of the employees—they are inspectors—go out and spend carfare to do their jobs." They get \$3,000 or \$4,000 a year, and if they spend 20 cents for carfare, they add that on. If they don't spend carfare, they take an automobile, and get 5 cents a mile. If we sat down with every bureau to find out exactly what every bill was which was approved, it would probably take a year to do and we would be amazed at the so-called traveling expenses of some of our employees who are not content with the good job they have but want to get every nickel they can from the city. One of the items is for conventions. The City Council has dinner when we have a late meeting, and various papers seize on that and make a hullaballo about it. Yet it is done every day in the week by the Legislature, and it is called traveling expenses. We have department heads and assistants spending \$4,000 a year to go to conventions and conferences. I don't know to how many they have gone in the past ten years, but

they have not taken advantage of what they learned, so far as I can see, and I think if the department head making \$8,000 or \$9,000 a year feels like going away from his job for one week to a convention, he certainly ought to be able to spend \$200 out of the salary and should not look to the city. Too many of us know what conventions are; you can always buy the book for a dollar and find out what went on. Now, the Mayor's office. There is an appropriation of \$90,000. I don't know what the appropriation for the Governor's office is, but I don't think it is as large. I think the Mayor's office can get along on \$40,000 a year. Public Celebrations. I think the State Department Public Celebrations budget is about \$50,000 a year. Here the Public Celebrations Department wants \$90,000 a year. I think they can get along with \$40,000 a year. As to what is spent in public celebrations, I will say this to the councilors: Under the present head they have done a good job, but I think he would be tickled to death to get rid of a lot of celebrations and entertaining of out-of-towners who partake of our hospitality and join in writing books about our fair city, like "What is Wrong with Boston?" Consider these items seriously. Remember what you are getting and what you can do with it. Many of us spend plenty of time away from our jobs. We are subject to investigation. We are subject to criticism, and yet we go along and do a good job in spite of what they say. Yet, when somebody comes along in some department with a job which everybody knows is no job, but a payment for past political favors, we seem to want to keep him there. We are afraid to cut employees. I think if you will check around, you will find in the city and in your districts they want you to do exactly what you should do, even cutting this budget in this manner. This business of talking about \$22,000 and \$10,000 is silly. Let us make a reasonably honest effort to cut this budget down so that the taxpayers, not only the taxpayers but the citizens, know we are watching where the money goes, that City Hall is not a branch of the Red Cross or the Community Fund, that people out of work don't come to City Hall for a job by way of charity. You will find that those who lose their jobs will get along and that your welfare rolls will not be increased, and that you will get better service in the departments where you have permanent employees because if you cut these things they can get some raises that they are really entitled to, and they will do the job the temporary employee or the political favorite put in a position that is not needed is supposed to be doing. Gentlemen, I wish you would consider this seriously and act on this budget as a budget should be acted on, in its entirety. We have gone through this before, yet we know, deep down in our hearts and consciences, practically what I said was true. You can get up and justify any job in words, but deep down in your hearts, you know many of them are just put on to give a fellow a break and a pay check every week. Let us cut that out. I hope the Council will go along with me and cut the budget, and if the Budget Department and the Mayor upon our recommendations will cut in that manner, I think the city and the Mayor and the Council will be better off for it.

Chairman SULLIVAN—The question first comes on the amendment to the amend ment.

Coun. MUCHNICK—Mr. President.

Chairman SULLIVAN—Councilor Muchnick, not having spoken.

Coun. MUCHNICK—There is a lot of meat in what the preceding speaker has said. I for one, except for the patent abuses like the ten custodians on the voting machines, am going to go along with the budget as a whole, and my reason for it is a very simple one. We can cut the entire budget 1 per cent or 5 per cent or 10 per cent or 20 per cent and we effect only a temporary remedy, we don't effect any kind of permanent cure at all. The budget is not the cause of our trouble in Boston, the budget is the result of our trouble. It is just the financial explanation of what is going on throughout the city. I don't believe we will cure anything by going after results. The only way we will cure our trouble is by going after causes. Any doctor whom you call to diagnose your illness will give you a pill, a temporary palliative to take care of the pain, but if he is good at his work, he will immediately try to probe for the cause and remedy the cause once and for all so that the result thereafter will be beneficial, and that is what we have to do. We have many overlapping departments, we have

much waste and much inefficiency. As Councilor Cook pointed out a few minutes ago, and as many others have pointed out, and as we all know, and as most of the people in the city know, we have to do away with that. One perfect example of squandering money as a result of causes and the way we do things, was our act several weeks ago in employing at \$2,700 of the taxpayers' money a man who is not qualified to fill a job which we did not need to have filled. We must do away with things like that, and it seems to me we should have a comprehensive survey made by an independent group of people, preferably non-Bostonians, of just what can be done to consolidate departments, eliminate inefficiency, eliminate waste, and get us in a position where we are paying an honest day's pay for an honest day's work, where we will have competitive bidding, where a street like Columbia road will be handled by one department, not on one side by the Park Department and on the other side by the Public Works Department; where everything will be coordinated in this city. While I am on my feet, Mr. President, I might say I intend later after the budget discussion is closed, to offer an order calling for a survey of that kind by an independent group of industrial engineers. It seems to me we should let this budget about which none of us know too much go as is except we should eliminate from it the patent absurdities I mentioned a moment ago, such as the one pointed out by Councilor Bayley concerning the custodians of voting machines. Then we should have somebody come in and make a complete study of all our assets and all our liabilities and get us started once and for all on an efficient road in an efficient manner of operation.

Coun. COFFEY—Mr. President.

Chairman SULLIVAN—Councilor Coffey.

Coun. COFFEY—Mr. President, to begin with, I will touch on the statements made by the councilor from Ward 5 (Councilor Bayley). I would like to correct him. He is under the impression there are ten custodians receiving \$3,000 a year. May I inform him five of those custodians are regular city employees that have been transferred to the Election Department and that they are not receiving any salaries from the departments from which they are transferred. On top of that, the five jobs have not been filled so that there are five salaries not going to anybody, so evidently they must need the ten custodians and not five because only five custodians have been appointed, and the other five have been transferred. Now, about the over-all cut of 2 per cent. Councilor Cook mentioned he wanted some certain departments abolished. If we are going to abolish a department like the Employment Bureau that would take away more than 2 per cent of their budget, I am going to defend the Employment Bureau. It is a good outlet for me, it is a good avenue for me to get a few jobs for people in my district, and I might say I know one person down there, and that happens to be Miss Elovitz, whom I met in the Mayor's office several years ago. Every time I send somebody up there for a job, they give him kind consideration, and as is usually the case, I can say honestly three out of four have received employment. So that I for one am going to defend that department. I will give credit where credit is due. It seems strange this year that certain members of the Council who have been here for more than one year want to start reducing the budget. I don't recall anybody asking for a reduction in the budget previous to this year. There might have been one item or two items certain councilors have got up and asked that reductions be made in, last year, it may be the year before, but an over-all cut I never heard of before. The first few years I was up here, I opposed the budget. I went so far that one year I voted against the budget in its entirety, the vote being 21 to 1, mine the only vote against the budget. One of the gentlemen who spoke on the floor today was chairman of the Appropriations Committee one year, and he did not make any recommendations whatsoever. It seems as though it is getting at the fellow downstairs because it happens to be the budget of the present Mayor. Certainly, people want cuts. Those same people, if they had an opportunity, would put a man to work tomorrow on the city pay roll. I would, that is what I am up here for. If I can put a fellow on the pay roll tomorrow, I will go down to see the Mayor today and put him on. Nobody will be hurt by it, and the average taxpayer won't kick. The only ones he wants to complain about are the bankers and brokers who have been getting these big, fat, juicy tax abatements since they have been bankers and

brokers—back to 1900 they have been getting them. There are a couple of tax abatements I am looking up. People like to talk, people like to holler, people like to see their names in print, people like to tell stories. I think those people should be hit the same way they are hitting others. There are a couple of nice, fat, juicy tax abatements I am going to look up, and if I find out there is any truth in the information I receive, I will bring it back to the floor of the Council. I will thresh it out again. They tell me one of the members of the Legislature who took a pot shot at members of the Boston City Council has done business with the city to the tune of \$700,000 for attorneys' fees. That is what burns me up and has burned me up since the first day I was here. Why haven't I, who have held office 12 years, the same right to take a fee as an attorney? No, that comes under the heading of graft. If a person comes to me for a favor and offers a payment, that comes under the heading of graft, but if he goes to an attorney—oh, no, that does not come under graft, it is under the heading of a fee. That is what I have always said and always will maintain, it is not fair. Every one of us up here is equal. If we have certain influences, or if we can use our office in any way whatsoever, it is not fair for an attorney to receive a fee and another member of the Boston City Council not to be able to receive a fee. I even went so far only a few weeks ago—

Coun. LINEHAN—Mr. President.

President KELLY in the chair.

President KELLY—Councilor Linehan, for what purpose does the gentleman arise?

Coun. LINEHAN—Mr. President, a point of order.

President KELLY—Councilor Linehan, state your point of order.

Coun. LINEHAN—I think the gentleman should confine himself to the amendments on the budget and never mind talking about the attorneys.

President KELLY—The point of order is well taken.

Coun. COFFEY—I am sorry to have to get up, but I think I should.

President KELLY—We are talking on the amendment to the amendment, which is the 2 per cent cut on the budget. Councilor Coffey.

Coun. COFFEY—It is too bad it happens to hurt certain people, and I hate to see Bobbie get up. I was hoping some other attorney would get up; that someone, in fact, would get up, but of course it would be Bobbie. I have always received fair play from him. We will be friends after this meeting and every other meeting. Going back on the 2 per cent cut in the budget, it seems this way: You have to have or we are asking to have a 2 per cent cut in the budget. We are seeking to fire our friends who go out to help put us here. I don't know who is working as custodians over in the Election Department, and I don't care, but I do happen to know five of them were city employees whose jobs have not been filled. Maybe I should not pay too much attention when they are talking here. I don't like to interrupt them, and I don't as a rule but hereafter when certain members get up here, I think I will get up and have a little fun myself. If they want to take the floor and talk, that is all right, but if somebody is making a statement, I don't think it is fair. I don't do it. I have my fun the same as the others, but as a rule I listen attentively to every member in the Chamber, and I give them what attention I can and listen to their side of the story.

President KELLY—The Council will be in order. Councilor Coffey.

Coun. COFFEY—Mr. President, I don't know why this year we should have to take off 2 per cent, that we should recommend a 2 per cent cut. I don't think we are going to. We may get up and say that we have to get to the cause of these things and bring in outsiders. Take the Police Commissioner. He is on the city pay roll. Do you want the cause? That is the cure. I think it would be better if he is put on Columbia road, he is an engineer, that is the only thing he has studied for. He doesn't know what is going on in Boston. If there is a cut, he should be abolished, and the job should be given to a career man, a man who rose from the ranks, a man who patrolled the streets and received his rating—a captain or deputy commissioner or superintendent. You take a man, an engineer, and stick him at the head of the Police Department. What does he know about crime? The answer to that is read in this morning's paper

where another hotel was robbed of \$4,600 taken from a dice game. Only recently, January 27, talking on an order I introduced regarding the Police Department, about a \$100,000 dice game being operated in the City of Boston; then three weeks later it was held up, a man slashed, another man kidnapped, \$40,000 robbed, and on top of all that a policeman present was hit over the head. It hit the headlines one night and it was forgotten. You have not heard one word about it yet. If you want to start abolishing, start abolishing the \$10,000 jobs, not the \$3,000 jobs or the \$1,500 jobs or the \$1,800 jobs held by some temporary employees. I am all for that, that has been my system and always will be: To the victor go the spoils. I would like to put a dozen to work tomorrow in the City of Boston—that might mean 60 votes for me. That would be all right. I am in favor of that. But, no, we want to bring somebody in from outside, and who would he bring in? Mr. Gott from Arlington? He has done business with the city on the "Q. T." Who would he bring in, Mr. Willis and Don Nicholson from the Senate? He had the gall to go into South Boston and march in the parade after making a statement up in the Senate about the cities and towns of Massachusetts paying the freight for Boston, while we have to pay the insurance rates for the people of Wareham who pay about \$17 a year to the \$52 for compulsory insurance we pay. Let us bring that in. Let them give us a 9-man council. Personally, I don't give a damn whether 9-man or 22-man, it does not affect me one way or another. The only reason I am opposed to Plan E or P. R. is only because certain people want it whom I don't like. That is the only reason I am opposed to it. Other than that, I don't give a damn.

Coun. CHASE—Mr. President.

Coun. COFFEY—I think I am talking on the order.

President KELLY—Councillor Chase, for what purpose does the gentleman arise?

Coun. CHASE—I think you should have the gentleman confine himself to the motion.

Coun. COFFEY—What is the motion, Mr. President?

President KELLY—We are talking on the 2 per cent reduction on each item in the budget.

Coun. COFFEY—Two per cent.

President KELLY—Councillor Coffey.

Coun. COFFEY—Well, I have to get back on the budget. What is the sense of talking here? Is there anybody in here outside of one or two who made the motion and they will have to go through with it anyhow, who are going to vote to cut out work where work is needed? Every department head who appeared before us has told us not only do they need the employees they have but additional employees. We had the Budget Commissioner in at a special meeting last week, and I think everybody in here has the utmost respect for John Sullivan. He has been in the Budget Department 14 years and he told us he has cut and cut in every way humanly possible because he feared a high tax rate but taxes are going up, they cannot be stopped. If these same people who start to give statements to the press would only come in here and be fair, not only with us but with the entire people of the Commonwealth of Massachusetts, would cut prices—let them cut prices, then we would be making some headway, but those are the same people who take a pot shot at the Boston City Council, the same ones who have control of the retail stores throughout the entire Commonwealth. They have a system, they have an organization, they keep their prices all the same, so that one store does not sell any less than another store whether owned by an individual or whether it is owned by a chain. You will find that out,—they have the same level of prices. When they come down, we can come down, and then, and then only will you be able to cut the employees off the city pay roll. I disagree with the councillor from Ward 12 (Coun. Cook) when he says these people who might be taken from the city pay roll will find other jobs. They will have a darned hard time to find jobs. There are plenty of veterans who are getting off the 52-20 Club looking for jobs, and it is practically impossible for them to get a job. The money is not there for them, they have to be qualified, they have to be in a trade, and most of them are not qualified, they are not in a trade, they have no trade to fall back on. Naturally, where are they going to go? They come to fellows like you and me and if it is humanly possible to get them a job,

we do. I don't think there is a member of this Body here this year who has filled more than one job in the City of Boston, and I am talking about temporary jobs. I am not talking about permanent positions. I don't think there is one of us—I know I have not been up to ask the Mayor of the City of Boston to put a person to work because you know how things are in the city now. I think things are at their lowest ebb now, and I think there are departments now which are undermanned. I think most of you will agree with me, because I think if you have been downstairs and asked for jobs you have had the answer that it is practically impossible at the present time to put a fellow to work. I hope this 2 per cent does not succeed.

Coun. FISH—Mr. President.

President KELLY—Councillor Fish.

Coun. FISH—Since the Municipal Employment Bureau has been brought into this, I would like to make known what was said at the hearing. Mr. Nyhan, who was the Director and returned after his service, was asked a question by Councillor Bayley as to how many applicants they had for jobs. His answer to that was: "Nine to ten thousand applicants a year, not including those who came back on certain occasions." It was later asked by Councillor Bayley how many places were found for them. Mr. Nyhan's answer was, I think: "Last year it was in the vicinity of 6,000 places." I don't think that department can be considered as a department that is not functioning. If they placed 6,000 applicants out of 9,000, 66 per cent, or two out of three, I doubt if there is a private employment bureau that can boast of such a record. I am not one to stand here and disbelieve Bill Nyhan. I can take his testimony as it is given because he has been known as a reputable man. I don't think he is lying on this matter, and if he has a record of that nature, I say the department is functioning O.K., possibly better than any private employment agency. May I say a word just on temporary employees? I am going to touch on two different groups. I think you all know how the temporary groups in other departments work. Can we make permanent employees out of election day workers at the polls? We have to man the polls, we have to have temporary workers. Are we going to have gardeners and maintenance men in the Park Department permanent? Those who protect the lives of those who go bathing in summertime and in general, the vacation workers who are called in when permanent employees go on vacations? Yes, there is a need for temporary employees. I have mentioned a few and I think you gentlemen know others.

Coun. HANNON—Mr. President.

President KELLY—Councillor Hannon.

Coun. HANNON—According to the City Charter, the Boston City Council must take definite action on the budget by the first Monday of April. The first Monday of April is next Monday. Probably the most important function we have as a Body is the approval or disapproval of the budget. The budget is a stupendous document, it runs into \$60,000,000, and many of us, not being on the Committee on Appropriations, have had our first opportunity today really to give some thought to the budget. I think this is a subject that demands careful consideration, and I think that many of the members are justified in suggesting a cut in a particular appropriation. I would not be inclined to go along with the general cut because you can't tell, you might be hurting some poor soul who is depending on a trivial job for his existence and his livelihood. Not only that, but many times the cuts we try to put over are misconstrued and misapplied, and we find out that the person or persons, or the particular function of a department touching these cuts have not been the one it was applied to. I think the approval or non-approval of the budget is something we should give serious thought to. We found on our desks a document from the Finance Commission relative to the employment of certain people in the Election Department. Like many here, I am not inclined to give too much weight or too much consideration to documents from the Finance Commission because, like every member here, I feel that when the Finance Commission finds time to make investigations and criticize, it might well at some other time find time to make investigations and really praise the work of some of the members of this Body. We are not always worthy of criticism, and I feel honestly sometimes if we must be criticized always, sometimes at least some of this criticism should

reflect credit on some of the members of this Body. I have been in other bodies, as I have often said, and I don't think anywhere I found a group who give more time or proper consideration to subjects placed before them. I think each and every fellow in his own way tries to be conscientious and tries to be considerate of the rights of his district. All that coming in here today, it seems almost unfair to ask a member of this Body to vote logically, to vote according to his conscience, on matters which are presented here pro and con, some matters which have been called to our attention for the very first time. With regard to the Employment Bureau, I too have used it many times. I was up here last year and defended it and I will continue to defend it because, like the councilor from Ward 1 (Councilor Coffey) many times I sent applicants for employment over there and they were treated courteously. I have never yet found they were given the runaround. On the other hand, I found they were given employment many times when they were unable to find employment elsewhere. With regard to the employees of the Election Department, I never want to be guilty of causing anyone to lose his job. On the other hand, I feel honestly and sincerely that in the City of Boston with 20,000 employees many times many people outside the employ of the city have the idea that everybody who works for the City of Boston is a loafer, and with that idea I very much disagree. The City of Boston has just as many conscientious and just as many reliable and just as many faithful workers as any other corporation, be it government or be it private. The City of Boston has many honest, faithful, sincere employees, but the City of Boston suffers because of the fact that every once in a while some loafer is appointed, and he takes pride in being a big mouth and telling people he is on the City of Boston pay roll but he does not have to work. I honestly wish there was some way we could get rid of that type of worker. If he is employed by the City of Boston, he is supposed to be on the job, yet you and I are derelict in our duties if we try to justify the payment to somebody who is not showing up at his job, who is not doing his work. I am not ready to say yet whether or not these custodians in the Election Department are needed or are not needed. I would like some time to study the matter. I would like to think it over, and I would like to go to the Election Department and see what these fellows are doing. Are they custodians or are they, as the gentleman from Ward 5 (Councilor Bayley) said, needless workers? I think we might well give this more consideration. We are asked here to pass on the merits of a budget of \$63,000,000. I would like to give it more consideration. Our committee through its chairman has recommended that we adopt it. Offhand, I would say I would go along with the committee, but in fairness to these members here who have recommended cuts, in fairness to those newsmen who have suggested that this or that department might be investigated or its ranks might be depleted, I think we well might take both of these documents and study them. I move, Mr. President, that we postpone further consideration of the budget until 2 p. m. on next Monday, and that it be the first order of business at the next meeting.

President KELLY—Councilor Hannon makes a motion that we postpone further consideration of the budget until next Monday's meeting, and that it be the first order of business at that time. All those in favor say "aye", those opposed "no." It is ordered.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of National League Baseball Club of Boston, Inc. (referred March 24), for license for Sunday sports, full term—that same ought to pass.

Report on petition of Boston American League Baseball Club (referred March 24) for license for Sunday sports, full term—that same ought to pass.

Reports accepted, and licenses granted under usual conditions. Bonds of the Indemnity Insurance Company of North America for both companies were submitted and approved.

2. Report on petition of Mary K. Kenney (referred February 3) to be paid annuity on

account of death of husband, John J. Kenney, late member of Fire Department, recommending passage of accompanying order, viz.:

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws an annuity of one thousand dollars be allowed and paid to Mary K. Kenney, widow of John J. Kenney, a member of the Fire Department who died on August 26, 1946, 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 August 26, 1946, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; said order passed.

3. Report on petition of Florence M. Sullivan (referred December 9, 1946) to be paid an annuity on account of death of husband, James J. Sullivan, late member of Fire Department, recommending passage of accompanying order, viz.:

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws an annuity of fifteen hundred and twenty dollars be allowed and paid to Florence M. Sullivan, widow of James J. Sullivan, a member of the Fire Department who died on November 15, 1946, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Florence M. Sullivan, so long as she remains unmarried, \$1,000 per annum.

For each of the following-named children during such time as he or she is under the age of eighteen or over said age and physically or mentally incapacitated from earning, \$260 per annum: Florence Sullivan, born November 25, 1933; James Sullivan, born February 5, 1942, provided, however, that if the widow remarries the annuity for each of said children shall be \$520 during the remainder of the time aforesaid, the payments to date from November 15, 1946, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; said order passed.

4. Report on petition of Alice M. Ralph (referred February 3) to be paid an annuity on account of death of husband, John G. Ralph, late member of the Police Department, recommending passage of accompanying order:

Report accepted; said order passed.

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws an annuity of fifteen hundred and twenty dollars be allowed and paid to Alice M. Ralph, widow of John G. Ralph, a member of the Police Department who died on October 7, 1934, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Alice M. Ralph, 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, \$260 per annum: Agnes E. Ralph, born December 19, 1930; William J. Ralph, born December 5, 1932,

provided, however, that if the widow remarries the annuity for each of said children shall be \$520 during the remainder of the time aforesaid, the payments to date from March 14, 1947, and to be charged to the appropriation for Police Department, Pensions and Annuities.

Report accepted; said order passed.

5. Report on message of Mayor and order (referred March 10) for sale of steamer "Michael J. Perkins" at public auction at upset price of \$5,000—that same ought to pass.

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

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick. For what purpose does the gentleman arise?

Coun. MUCHNICK—A point of information.

President KELLY—Will you state your point of information?

Coun. MUCHNICK—Is this something that requires only one reading, Mr. President?

President KELLY—That is all, councilor, one reading.

Coun. MUCHNICK—Mr. President, another point of information.

President KELLY—State your point of information.

Coun. MUCHNICK—Is the upset price \$5,000?

President KELLY—The upset price is \$5,000, councilor.

Coun. MUCHNICK—I would like to ask one more question, whether an appraisal has been obtained by the department head?

President KELLY—The appraisal has been obtained and rendered to the Executive Committee. The order was passed.

6. Report of message of Mayor and order (referred February 10) for sale of land at Commonwealth and Chestnut Hill avenues at public auction at upset price of \$110,000—recommending that same ought to pass.

The report was accepted, and the question came on the passage of the order. The order was given its first reading and passage, yeas 22, nays 0.

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linchan, Madden, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—22.

Nays—0.

The order will take its second reading and passage in not less than fourteen days.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Report on petition of Shell Oil Co., Inc. (referred today), for driveway opening at Centre street and Spring Park avenue, Ward 19—that same ought to pass.

Report accepted; permit granted under usual conditions.

ORDER RE TAX CUT IN LOWER INCOME BRACKETS.

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linchan. For what purpose does the gentleman arise?

Coun. LINEHAN—A point of information, Mr. President.

President KELLY—State your point of information, councilor.

Coun. LINEHAN—I just asked the chairman of the Committee on Rules whether or not they had acted on an order I filed several weeks ago relative to going along with the recommendation by Henry L. Shattuck and Senator Lodge relative to a cut in the lower income brackets for income taxes. I think it is coming out of committee now, and I wonder if we can wait for it to come in.

President KELLY—We are not quite ready to adjourn yet.

SCIENTIFIC SURVEY OF ALL CITY DEPARTMENTS.

Coun. MUCHNICK offered the following:

Ordered, That the sum of two hundred thousand (200,000) dollars be appropriated by his Honor the Mayor to engage the services of a firm of competent industrial engineers to conduct a scientific survey of all city departments in order to eliminate whatever waste and inefficiency that may be found to exist.

Coun. MUCHNICK—Mr. President, I don't want to repeat again the remarks which I made during the course of the discussion on the budget a few minutes ago. They apply to this particular order and I would like to incorporate them by reference as remarks under this order. I would like to ask the suspension of the rules and passage of the order now.

Coun. KEENAN—Mr. President, I am very much opposed to this order, and I hope it is defeated. In 1944 they appropriated \$75,000 for a survey of the Boston School Department and they called in Dr. Strayer, if I am correct, with so-called competent men to make surveys of the Boston School Department and they spent \$64,000 and over. That was in 1944. As of this date, I cannot see where the City of Boston has benefited from the Strayer report, not one cent to the City of Boston. As a matter of fact, if you look at the amount of money since 1944 that the School Department has spent, you will find that it has spent more money to date than they did previous to the Strayer report. I think if we are going to spend any money, as much as \$200,000, and I think

that is the correct figure that the councilor put in the order, we should spend that in a better way for the City of Boston than by so-called surveys and bringing someone in from outside the City of Boston. I hope this order is defeated.

Coun. MUCHNICK—Mr. President.

Coun. KINSELLA—Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—I would like to ask the Clerk for information through you, Mr. President.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—Didn't Mayor Tohin in 1938 bring Mr. Whitcomb into the city to set up a survey outfit at \$25,000 a year?

President KELLY—That is right, councilor.

Coun. KINSELLA—Will you ask the Clerk and then apprise this Council of the nature of Mr. Whitcomb's duties?

President KELLY—His work was in the nature of an efficiency expert, councilor.

Coun. KINSELLA—One final question, Mr. President. Was it ever proven to the satisfaction of the citizens of Boston that he justified the salary of \$25,000 a year? I am not asking the Clerk's opinion, but I want to find out if there is anything in the record which shows his actions authorized and justified the expenditure of \$25,000 which he received for his work.

President KELLY—The Chair can say that when Mr. Whitcomb resigned, the position was carried on by another gentleman.

Coun. KINSELLA—Was that Mr. Leo Foster?

President KELLY—That is right.

Coun. KINSELLA—But no merger ever took place and no substantial savings were effected by the City of Boston—is that right?

President KELLY—That is hard for the Chair to say, councilor.

Coun. KINSELLA—In any case, Mr. President, we are now asked to certify as being good an order seeking to spend \$200,000 to survey the city and find out where we may get efficiency and where we may merge departments. We have newspapers in this city and we have recess bureaus; we have Finance Commissions that have been making those recommendations ever since they came into existence, and I strongly oppose a \$200,000 appropriation to be spent on people in or out of the city for the purpose of achieving a result that perhaps might be achieved with no outlay of the public money whatsoever if the achievement is as much to be desired as it appears to be. I would like to see the Council unanimously, except in one instance, defeat this order.

Coun. CHASE—Mr. President, may I have the order read?

(The order was read.)

Coun. CHASE—Mr. Chairman, I don't like to take issue with the gentleman from Ward 14 (Councilor Muchnick), but it appears to me from the contents of the order that what he is calling on the Council to do is to give the Mayor \$200,000 for the Mayor to spend to make a survey of the city. Now, I personally don't trust the gentleman downstairs with \$200,000.

President KELLY—Councilor, kindly leave personal remarks out.

Coun. CHASE—I think that is an honest comment I have made, and I have a right to say I don't approve of this order because I don't trust the gentleman downstairs. I don't think he will spend it properly, I don't think if we gave him the money he would engage the proper experts. I believe, Mr. President, if we had an independent organization which the Mayor had nothing to say about, that I would be willing to appropriate \$200,000 to make an honest-to-goodness survey, but I can't conceive of his Honor the Mayor taking \$200,000 and hiring experts who are going to criticize his policies. It just does not add up, Mr. President. Having that in mind, I am in favor of a survey, and I am in favor of a legislative survey or in favor of the Legislature engaging a commission to spend \$200,000 for a survey, but I am very much opposed, sir, to giving his Honor the Mayor \$200,000 to survey himself.

Coun. BAYLEY—Mr. President, speaking on the order.

President KELLY—Councilor Bayley.

Coun. BAYLEY—Mr. President, just briefly, I agree with the distinguished councilor from Ward 4 (Councilor Chase). I very much favor a survey but I don't like the way the order is worded. I would like to see a survey made of the city

departments, either by a representative chosen by the Finance Commission, the Legislature or some other impartial body, possibly with one from each of these departments.

Coun. COOK—What about the Council?

Coun. BAYLEY—I don't think this order is drawn in the proper way, and I move that it be laid on the table.

President KELLY—The Chair intended to refer it to the Executive Committee.

Coun. BAYLEY—That is fine.

Coun. COFFEY—Mr. President, can this — —

President KELLY—Councilor Bayley withdraws his motion.

Coun. COFFEY—Can this be amended to read "\$200,000 be appropriated and spent by the Mayor with the request that the Attorney General investigate the Legislature"?

President KELLY—Just a minute, councilor. The Chair is sending this order to the Executive Committee and all amendments can be made in Executive Committee. It is referred to the Executive Committee.

The order was referred to the Executive Committee.

REDDISH A. A. ROAD RACE.

Coun. CAREY, McCORMACK and BRYAN offered the following:

Ordered, That the City Messenger be directed to rope off streets at points necessary along the route of the annual road race conducted by the Reddish A. A. on Saturday, April 5, 1947, the expense of same to be charged to the appropriation of the City Council for Ropes, Flags and Stakes.

Passed under suspension of the rules.

UMPIRES FOR BASEBALL GAMES.

Coun. MADDEN offered the following:
Ordered, That the Park Commission be requested, through his Honor the Mayor, to furnish and pay the umpires for all baseball games conducted in and under the Park Department league.

Coun. BAYLEY—Mr. President, could I have that read again? I did not hear it.

President KELLY—The Clerk will kindly reread the order.

(The order was read.)

The order was passed under suspension of the rules.

Coun. BAYLEY—Mr. President.

President KELLY—One minute.

Coun. BAYLEY—Talking on the order, Mr. President.

President KELLY—The Chair has declared the order passed under suspension of the rules.

Coun. BAYLEY—I wanted to add an amendment. Is it too late?

President KELLY—It is too late now.

REPORT OF COMMITTEE ON RULES.

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

Report on resolution (referred February 24) favoring income tax reduction for those persons in lower income brackets—that same ought to pass.

The report was accepted, and the resolution was passed.

Adjourned, at 6 p. m., on motion of Councilor Sullivan, to meet on Monday, April 7, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 7, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Hurley and Scannell.

The meeting was opened with the salute to the flag.

President KELLY—The Chair is in receipt of a venire for jurors, and the City Messenger will so notify his Honor the Mayor. The Chair will call Councilor Sullivan to the chair.

Coun. SULLIVAN in the chair.

The City Messenger reported that the Mayor was not available, and in the absence of the Mayor, Councilor Bryan presided at the ballot box. Jurors were drawn as follows:

Fifty-nine traverse jurors, Superior Criminal Court, to appear May 5, 1947:

Rocco Beninati, Ward 1; George T. Mahoney, Ward 1; Armand Pastore, Ward 1; George T. Williams, Ward 1; Timothy F. Connors, Ward 2; Howard J. Nelson, Ward 2; Samuel Becherman, Ward 3; Frank S. Borgia, Ward 3; Giuseppe Dotolo, Ward 3; Andrew J. Newberger, Ward 3; James W. Osberg, Ward 5; John Flaherty, Ward 6; Raymond F. Hale, Ward 6; Walter F. Brown, Ward 8; Charles W. Tweed, Ward 9; Lewis C. Williams, Ward 9; William Charles Furst, Ward 10; Michael Russell, Ward 10; Patrick F. Fitzgerald, Ward 11; William M. Hillcoat, Ward 11; Patrick J. Doherty, Ward 12; Philip Lehner, Ward 12; Joseph J. MacPhee, Ward 12; Freeman L. Perkins, Ward 12; Israel Waggenheim, Ward 12; Emanuel Freedman, Ward 13; Richard H. Turner, Ward 13; Samuel Comins, Ward 14; Harry Kiehler, Ward 14; Coleman Donohue, Ward 15; Joseph T. Myron, Ward 15; James A. Sheedy, Ward 15; Bruno Stocco, Ward 15; Mansfield Austin, Ward 16; Edwin H. Beckvold, Ward 16; George A. Chapman, Ward 16; George U. Clough, Jr., Ward 16; Melville D. Mossman, Ward 16; Leo A. McDonnell, Ward 17; Allen W. McNulty, Ward 17; Frank A. Brown, Ward 18; John J. Connelly, Ward 18; Walter L. Curtis, Ward 18; Martin Burke, Ward 19; Leo M. Connell, Ward 19; James J. Dwyer, Ward 19; Clayton C. Hutchinson, Ward 19; Edward F. Kelly, Ward 20; John W. Latham, Ward 20; Sherwood A. Lawler, Ward 20; Alexander T. Smith, Ward 20; Werner F. Wennestrand, Ward 20; Max Alman, Ward 21; Charles C. Brown, Ward 21; Samuel J. Waldstein, Ward 21; Henry J. P. Madigan, Ward 22; Frederick C. Prussman, Ward 22; John W. Walsh, Ward 22; Robert L. Young, Ward 22.

One hundred twenty-three traverse jurors, Superior Civil Court, to appear May 5, 1947:

Joseph J. Giordano, Ward 1; Federico LaConte, Ward 1; Leslie D. Logan, Ward 1; Antonio Micarelli, Ward 1; Joseph Rafaniello, Ward 1; Alfonso S. Squillacioti, Ward 1; Alfredo Petrilli, Ward 1; Louis Tulipani, Ward 1; William J. Wilkie, Ward 1; Timothy J. Callahan, Ward 2; John J. Curtain, Ward 2; Joseph A. MacNeill, Ward 2; Frank Vita, Ward 2; Antonio DiMeco, Ward 3; Pasquale Piccolomini, Ward 3; Antonio Ventola, Ward 3; John DeWitt, Ward 4; Hyman H. Goldberg, Ward 4; Everett S. Gould, Ward 4; Harold H. Keniston, Ward 4; Alexander J. MacDonald, Ward 4; William E. Butler, Ward 5; Charles J. Foley, Ward 5; James G. Hayes, Ward 5; Raffaele Martino, Ward 5; James F. May, Ward 5; Joseph G. MacLeod, Ward 5; John G. McCarthy, Ward 5; William J. Carroll, Ward 6; Thomas A. Curley, Ward 6; Frederick L. Lee, Ward 6; Thomas W. Mulligan, Ward 6; Joseph W. Donohue, Ward 7; Harry F. Haun, Ward 7; Eric E. Healy, Ward 7; Patrick Kelly, Ward 7; John J. Trager, Ward 7; Francis J. Welch, Ward 7; George H. Baldner, Ward 8; Theodore H. Marcy, Ward 8; Charles F. Wotton, Ward 8; John Welsh, Ward 9; Austin

Hester, Ward 10; George Kyros, Ward 10; Charles Pelletier, Ward 10; Joseph H. Schlichte, Ward 10; Eugene M. Smith, Ward 10; Clarence R. Townsend, Ward 10; George A. Reed, Ward 11; Hyman Rottenberg, Ward 11; William W. Stewart, Ward 11; David Goldstein, Ward 12; Clement C. Joseph, Ward 12; Arthur E. Post, Ward 12; Joseph Shapiro, Ward 12; Maurice Shutzer, Ward 12; Abraham Siegel, Ward 12; Peter Washington, Ward 12; Wilfred J. Bresbois, Ward 13; David Buchanan, Ward 13; Michael J. Collins, Jr., Ward 13; Edward J. Doyle, Ward 13; John F. Hanlon, Ward 13; James G. Hewson, Ward 13; Jonas A. Yankauskas, Ward 13.

Herbert I. Cantor, Ward 14; Samuel Davis, Ward 14; Samuel Entoff, Ward 14; Joseph Fransson, Ward 14; Hyman Glass, Ward 14; Harry Rose, Ward 14; Benjamin Sall, Ward 14; Benjamin Silverman, Ward 14; Hyman Stillman, Ward 14; Robert Whitely, Ward 14; Howard S. Beane, Ward 15; Joseph F. Buschini, Ward 15; Herbert F. Buffington, Ward 16; Michael J. Folan, Ward 16; James Michael Peters, Ward 16; Ralph A. Wiranis, Ward 16; Anthony Zaccardi, Ward 16; John W. Burns, Ward 17; Dennis F. Flynn, Ward 17; Thomas H. O'Neil, Ward 17; John L. Sullivan, Ward 17; Edward J. Carlezon, Ward 18; Louis T. Falcone, Ward 18; William Finnegan, Ward 18; William Galvin, Ward 18; Alfred H. W. Hansen, Ward 18; Willis H. Leach, Ward 18; John G. Lucas, Ward 18; Oscar S. Parnagian, Ward 18; Solomon Shechtman, Ward 18; Ernest W. Blinn, Ward 19; Paul F. Doherty, Ward 19; Michael F. McDermott, Ward 19; John X. Regan, Ward 19; Charles L. Baldner, Ward 20; Albert E. Cihriano, Ward 20; Joseph F. Fitzgibbons, Ward 20; William R. Gelpke, Ward 20; William J. Jacobs, Ward 20; Walter A. Johnson, Ward 20; George A. McCarthy, Ward 20; Hugh McGarry, Ward 20; Eldred L. Nelson, Ward 20; James Reay, Ward 20; Cornelius A. Sprague, Ward 20; Earle L. Whiting, Ward 20; Maxwell Barry, Ward 21; Irving E. Fireman, Ward 21; Ralph E. Brown, Ward 21; Max Fleischman, Ward 21; John J. Keene, Jr., Ward 21; Hyman M. Krute, Ward 21; Joseph Pastor, Ward 21; George B. Thomas, Jr., Ward 21; William L. Shaw, Ward 21; Hugh V. Yerex, Ward 21; Carl Borg, Ward 22; William J. King, Ward 22.

FLAG POLE AT WILLIAM E. CARTER PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, April 3, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the chairman of the Park Department relative to your order of March 24, 1947, concerning the placing of a flag pole on the William E. Carter Playground, Columbus avenue.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, April 2, 1947.

J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of March 31, with inclosure, order from the City Council, requesting a flag pole on the William E. Carter Playground, Columbus avenue.

Please be assured, this will receive my early attention and if I have the funds available it certainly will be a pleasure to have it erected.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

NEW FLAG AT BRIGHTON HIGH SCHOOL.

The following was received:

City of Boston,
Office of the Mayor, March 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the secretary of the School Committee of the City of Boston relative to your order of March 10, 1947, concerning the placing of a new flag at Brighton High School.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
School Committee, March 25, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—At the conference of the School Committee held on March 18, 1947, the following order passed by the City Council at a meeting held on March 10, 1947, was received:

"Ordered, That the School Committee be requested, through his Honor the Mayor, to place a new flag at Brighton High School."

The committee was informed by the Schoolhouse Custodian that a new flag has been on display at the Brighton High School since March 3, 1947, and that this was the second new flag that the custodian has placed on display since January 15, 1947.

The Schoolhouse Custodian further reported that it has been very difficult to obtain flags from the Department of Correction where, under the law, the committee is obliged to purchase them. Out of a large order placed with that department in 1946, only a very small number have been received up to the present time.

Very truly yours,
LOUISE KANE, Secretary.

Placed on file.

UMPIRES FOR PARK DEPARTMENT LEAGUE BASEBALL GAMES.

The following was received:

City of Boston,
Office of the Mayor, April 7, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the chairman of the Park Department relative to your order of March 31, 1947, concerning the furnishing and paying of umpires for baseball games conducted in and under the Park Department League.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, April 3, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of April 1, with inclosure, order from the City Council that the Park Commission furnish and pay the umpires for all baseball games conducted in and under the Park Department League.

I regret exceedingly to inform you these umpires are paid by the Major Leagues and there are no funds made available in this year's budget to pay these umpires. This system has been conducted since the baseball league was in existence—there never has been any trouble at all, the men have always received their money.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

COLUMBUS PARK IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, April 7, 1947.
To the City Council.

Gentlemen—I transmit herewith communication from the chairman of the Park Department relative to your order of March 24, 1947, concerning the installation of boilers in the Columbus Park Locker Building, and also the laying out of the hard and soft ball baseball diamonds at said Columbus Park.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, April 3, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's office.

Dear Sir,—I have your memorandum of March 31, with inclosure, order from the City Council that I install boilers in the Columbus Park Locker Building and also to lay out and put in good condition the hard and soft ball diamonds in said Columbus Park.

Please be assured, Mr. Secretary, it will be a pleasure to comply with this, in fact a contract has been let to fix up the locker building and I think the boilers have been installed.

Regarding the field, the men are working on it at the present time, and may I assure you we will get it raked and rolled just as soon as we possibly can.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Richard Calledare, for compensation for injuries caused by fire apparatus.

George W. Cameron, to be reimbursed for expenses incurred while assisting at autopsy.

Lucien E. and Marjorie R. Cook, for compensation for injuries and damage to car by police car.

William Corbett, to be reimbursed for expenses incurred in connection with backing up of sewage at 27 Burton street, Brighton.

John Donaruma, for compensation for collapse of water hoiler at 24 Damrell avenue, during repair of water pipe.

John J. Lanigan, to be reimbursed for execution issued against him.

Eli M. Levatinsky, for compensation for damage to car by city truck.

Norman Menzies, Jr., for compensation for damage to car caused by an alleged defect at 244 Meridian street, East Boston.

Charles A. Newhall, for compensation for damage to car by city truck.

Joseph Ruggiero, to be reimbursed for executions issued against him.

S. C. Single, for compensation for damage to car by fire apparatus.

F. W. Tracy, for compensation for damage to car.

PERMITS FOR CHILDREN.

Petition for children under fifteen years of age to appear at places of public amusement;

Tritunary Theatre of Boston, New England

Mutual Hall, April 5, 19, 24, 26.

Permit granted under usual conditions.

TRANSIENT VENDORS' LICENSES.

The petition of Hamid N. Bey for transient vendor's license for sale of health lectures, vitamins, health foods, at Tremont Temple, was received, together with bond of Massachusetts Bonding and Insurance Company.

License granted under usual conditions, and fee paid.

The petition of James Caggiano for transient vendor's license for sale of flowers, plants, fruits, etc., at Porter street, East Boston, was received, together with bond of Maryland Casualty Company.

License granted under usual conditions, and fee paid.

HEARINGS BEFORE PUBLIC UTILITIES DEPARTMENT.

Notice was received from the Department of Public Utilities of hearing to be held May 8, at 10:30 a. m., on schedules of rates and charges for gas as filed by Boston Consolidated Gas Company on March 21, 1947.

Notice was received from the Department of Public Utilities of hearing to be held on April 10, 1947, at 2:15 p. m., on petition of Boston and Maine Transportation Company for license to operate motor vehicles from Everett city line to Park Square and return.

Severally placed on file.

BUDGET FOR 1947.

Chairman SULLIVAN—Any unfinished business?

Coun. HANNON—Mr. President, I think in fairness to everybody we should proceed with No. 1 on the Calendar, the budget. I believe that should be the first order of business for today.

Chairman SULLIVAN—Councilor Hannon calls for No. 1 on the calendar.

No. 1 on the calendar was as follows:

1. Appropriation and tax orders for 1947 (annual budget) for city, county, and revenue departments, totaling \$63,067,599.06, less \$11,720,069, previously reported. Committee on Appropriations report, recommending appropriation and tax orders ought to pass, was accepted.

Motion by Councilor Bayley to amend budget by reducing A—Personal Service item in Election Department by \$35,000. Motion by Councilor Cook to amend the amendment by reducing each item in the budget by 2 per cent.

Coun. COFFEY—Mr. President.

Chairman SULLIVAN—For what purpose do you arise, councilor?

Coun. COFFEY—I would like to have this referred to the Executive Committee.

Chairman SULLIVAN—Councilor Coffey moves that No. 1 on the Calendar be referred to the Executive Committee.

Coun. HANNON—Mr. President.

Chairman SULLIVAN—Councilor Hannon, speaking on the motion.

Coun. HANNON—Mr. Chairman, I hope this matter is not referred to the Executive Committee. I can't see any sense in going out there and talking this over for two or three hours and coming back here again and taking some two or three hours more to go over the same subject matter and engage in the same talk we had in the Executive Session. We took this matter up last week and I think the motion I made then was that this be the first order of business today. I think we should adhere to that motion. Many of the members of the Body have given much time and much thought to this budget, and I think in fairness to them we should consider this here and now and not go into Executive Session and waste time out there, because eventually we have to come back in here again, and all we would be doing is to go over the same ground twice. I hope to expedite matters this subject will be considered here and remain here.

Coun. COFFEY—Mr. President.

Chairman SULLIVAN—Councilor Coffey.

Coun. COFFEY—I withdraw my motion and now make another motion that this be heard at 3.30 this afternoon.

Chairman SULLIVAN—Under the rules, councilor, that will call for a two thirds vote. All those in favor of Councilor Coffey's motion to postpone action until 3.30 will please rise. A sufficient number of members not having risen, the motion is lost. The question now comes on the pending motion of Councilor Cook to reduce each and every item in the budget by 2 per cent.

Coun. COOK—Mr. President.

Chairman SULLIVAN—Councilor Cook, speaking on the motion.

Coun. COOK—I understand that motion cannot be passed upon because under the charter we must reduce or cut the budget by item. Therefore, I would like unanimous consent to withdraw that 2 per cent motion to reduce the budget, and I will substitute an itemized reduction for each department.

Chairman SULLIVAN—Councilor Cook asks unanimous consent to withdraw his motion to reduce the budget by 2 per cent. Is there any objection? (No response.) The motion is so withdrawn. The motion now pending is Councilor Bayley's motion to cut the Election Department, A-1, Personal Service, by \$35,000. All those in favor of reducing the A-1 item of the Election Department by that amount say "aye," those opposed "no." It is not a vote.

Coun. BAYLEY—Mr. President, I doubt the vote and ask for a roll call.

Chairman SULLIVAN—Councilor Bayley doubts the vote and asks for a roll call. Is there a sufficient number of members joining him? A sufficient number of members having joined, the Clerk will call the roll.

The roll was called, and the motion was defeated, yeas 8, nays 9:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Keenan, Madden, Linchan—8.

Nays—Councilors Coffey, Fish, Hannon, Kelly, Kinsella, McCormack, Moriarty, Russo, Sullivan—9.

Chairman SULLIVAN—Eight votes in the affirmative and nine in the negative, and the motion is lost.

Coun. BAYLEY—Mr. President, I move reconsideration.

Chairman SULLIVAN—Councilor Bayley moves reconsideration. Councilor Bayley, talking on the motion.

Coun. BAYLEY—I think this is a fairly clear issue which is before the Council today in this item. Mr. Chairman, I don't mean to repeat the arguments I gave last week in which it was shown in cities that have voting machines very few custodians are needed. In Hartford there is only one, and in Brookline there is one, and in all cases where they do have voting machines the custodians are electricians. I showed last week none of those who are now voting machine custodians are electricians. In the Finance Commission's report of March 26, 1947, it was clearly pointed out, "There is no need to build up an entirely new force of city employees to take care of the machines already purchased. The provision in the budget for 15 custodians at \$3,000 a year should be eliminated. The expenditure of this sum for the purpose intended is definitely unjustifiable." It pointed out that a member of the Election Department said when asked about the nature of the assignments that they would sew the tarpaulins on, and when asked who would do the clerical work if they did not, he admitted it was not necessary to do the clerical work, and when asked again who would do it if they did not, he said, "I can't intelligently answer that question." We have a chance in one small way here to cut down the \$62,000,000. The people of Boston are watching us, watching to see what we are going to do. This perhaps is our most important duty in the year, this and the confirmation of constables and a few other matters. I consider this a pre-eminent question, to study the budget and act on it. The committee submitted a report, as I remember, for the passage of the budget in its entirety, but there was a supplemental report which stated it did not take any position with regard to voting machine custodians. Is that right, Mr. Chairman? I would like to ask that of the chairman of the committee, just what that report was, which was made last week.

Chairman SULLIVAN—Councilor Fish?

Coun. COFFEY—Mr. President.

Chairman SULLIVAN—Councilor, for what purpose do you arise?

Coun. COFFEY—A point of information.

Coun. BAYLEY—I don't yield, Mr. Chairman.

Chairman SULLIVAN—State your point of information, Councilor Coffey.

Coun. COFFEY—If he yields, he is yielding the floor.

Coun. BAYLEY—I don't yield.

Chairman SULLIVAN—Councilor Bayley does not yield.

Coun. BAYLEY—Mr. President, I can't find it quickly, but the chairman of the committee made the statement with regard to the voting machine custodians, as I understood it, that it took no position one way or the other, while still recommending the passage of the budget as a whole.

Coun. FISH—Mr. President.

Coun. BAYLEY—I will be glad to have the chairman answer.

Chairman SULLIVAN—Councilor Fish.

Coun. FISH—I will be glad to refresh him as to what I said.

Coun. BAYLEY—Without yielding the floor, may I yield for an answer?

Chairman SULLIVAN—If Councilor Bayley yields, he yields the floor.

Coun. BAYLEY—I don't yield.

Chairman SULLIVAN—Councilor Bayley does not yield.

Coun. BAYLEY—Mr. President, I think this issue is pretty clear. It has been thoroughly discussed and investigated by the Finance Commission of the City of Boston, and it has been well discussed in the newspapers of the city, and has been discussed by people on the street corners, some of whom have contacted me. I found the feeling strongly in favor of eliminating employees who are put on the pay roll just for the sole purpose of creating jobs, as is stated in the Finance Commission's report. These custodians are definitely unnecessary, Mr. President, in my opinion. They are not taken from any civil service list; they are appointed for 90-day periods. There is no civil service list. I am informed, on this matter so they cannot be taken from any such list. No necessity for them has been shown, nor has it been shown what they are doing. They are supposed to be sewing the covers of the tarpaulins on, or looking after the voting machines, but it so happens the machines are stored in public buildings and are looked after by the regular custodians on their

jobs there. There is no necessity for repair work on these machines, and there is no need for sewing tarpaulins when they are not being used except in the November elections. Mr. President, this is under surplus employees and definitely not needed, and we under our duties should cut them off. This is our one chance in passing the budget to cut employees with nothing to do because if they are on the pay roll they increase the tax rate. Mr. President, we are faced with an increased tax rate. Are we going to inflict a tax rate of nearly \$50 without doing anything about it? I think we have here a chance where men of character and courage will do the job we are supposed to do, which is to cut out unnecessary items in the budget. I hope the members will consider the matter and vote for reconsideration, so that we can eliminate this unnecessary expenditure from the budget.

Chairman SULLIVAN—Councillor Bayley moves reconsideration.

Coun. CHASE—Mr. President, I am very much opposed, sir, to this waste of the taxpayers' money. I think it is an example of the extravagance of the gentleman downstairs. As the gentleman from Ward 5 (Councillor Bayley) has stated, other cities that have used these voting machines do not find it necessary to have so many mechanical attendants. The Finance Commission has brought out, Mr. President, practically all, with the exception of two permanent employees in the Election Department who have been doing this work for a number of years, practically all, sir, have no mechanical ability, and why his Honor the Mayor feels these 13 people out of the 15 selected are qualified to act as experts on election machinery is beyond my comprehension. The only thing I can gather is that it is a case of the gentleman downstairs endeavoring to take care of his political pets, and in doing so, sir, he proposes to spend \$35,000 each year of the taxpayers' money. As the gentleman from Ward 5 has stated, this Council has been criticized on many occasions. We have been laughed at and ridiculed as a Body without any power but, sir, the power to appropriate is just about the strongest power any legislative body can have. You can bring the chief executive to his knees with this power of appropriation, and you can do marvelous things in behalf of the taxpayers if you only stick by your guns and endeavor to reduce those items of the budget which will stand a reduction. The Boston Finance Commission has inquired into this matter and has gone so far as to indicate to this Honorable Body that we should make a reduction in the budget on this particular item. They have pointed out the reasons why, and I, for one, feel they have given us ample reason to reduce this particular item. This is a lot of money, and I feel, Mr. President, if the Council as a whole would stand on its feet today and vote right, the taxpayers would realize that we are not what some people would like to have us painted as, and that is nothing but marionettes of his Honor the Mayor. This item is a total waste of the taxpayers' money, and I hope, sir, the Council as a whole will vote to reduce this particular item.

Chairman SULLIVAN—The question is on Councillor Bayley's motion to reconsider.

Coun. COFFEY—Mr. President, very briefly I want to say I am definitely opposed to taking anybody off the pay roll. It is only the opinion of the gentlemen from Wards 4 and 5 that these men are doing no work. The information I have received is that they have spent \$100 out of their own pockets to make a study of these machines. There are not fifteen men on the pay roll as they would like to have us believe, but only five. There are five of the other ten taken from other city pay rolls and put over into this department, and their jobs have not been filled and nobody is receiving the salaries on these five jobs they vacated. So the Council wants to remember that there are only five men actually on this pay roll. One other thing I get a kick out of is every time the gentlemen from the Back Bay take the floor they refer to the man down at the corner office as putting his pets to work. One of the gentlemen has been in this Body ten years and the other for three years. If they remember, Mayor Tobin and Mayor Kerrigan put people to work, and wasn't it their friends they put to work, and isn't it natural for the man downstairs to take care of those who support him? Last week I made a statement here which came over the radio three times the following day, and it was in all the newspapers that Councillor Coffey believed in the spoils system; that is why

he has been elected for every term, to everybody's amazement; because he believed in the spoils system and believed in putting people to work. That is why I am here, and that is what has kept me up here, and in the State House, because I went out and made jobs for the constituents, particularly if there was an opening and I could get a job. I have done it. I did it last week and I will do it tomorrow and next week—\$35,000. How much is that going to affect the tax rate? That \$35,000 is not going to be used, as I stated before, for putting five men on the pay roll, and I think that is all who will stay on the pay roll, those five men. Don't forget we have an investment of over \$300,000, and the custodians who have jobs in these school buildings and public buildings are not allowed to touch those voting machines because they are not mechanics and don't know how to operate the machines and repair them. I say there are five men on the pay roll and let us keep them.

Chairman SULLIVAN—The motion is on reconsideration.

Coun. BAYLEY—Mr. Chairman.

Chairman SULLIVAN—Councillor Bayley, talking on reconsideration.

Coun. BAYLEY—According to the transcript of the hearing before the Appropriations Committee, Mr. Motley admitted there are ten men in these positions and that two have come from other departments. There are ten on there, and they plan to put on five more this year. There is an allowance of \$45,000 for the fifteen. On pages 305 and 306, they admit there are ten and not five, and five more will be put on this year, and that makes a total of fifteen.

Chairman SULLIVAN—The question is on reconsideration.

Coun. HANNON—Mr. Chairman, for the past week I have given much thought to this particular item in the budget, and I cast my vote against cutting the appropriation, not because I disbelieve what the councillor from Ward 5 says, because I really do believe it, but, rather, I still think that old bugaboo is facing the Council: We have not got much power. I myself don't think we need all these custodians, and we might as well be honest about it. There is no doubt about it in my mind that these machines can practically take care of themselves, and we don't need any ten or fifteen men. As a matter of fact, I think the Election Commissioner, when he was asked the question what these men did, really confirmed any suspicion we might have that the men are not doing any too much. Once again I say, I am one of those fellows who likes to see another fellow get a job, but at the same time I think every employee of the City of Boston suffers because of the fact that every so often five or ten nonworking employees are placed upon the pay roll, and they like to go out and tell people that they are big shot employees of the City of Boston, and they don't do anything but draw their salaries, unlike the average city employee. The average city employee, I believe, is an honest worker, and I say in all sincerity he suffers because of the fact that five or ten men who have not got too much to do anyway are going to be placed on the pay roll at greater salaries than the faithful employees of the City of Boston are receiving. However, in cutting an A-1 item, we have no assurance whatsoever in knocking \$35,000 off that we are going to get rid of these temporary and probably unnecessary employees. I am fearful always of voting for any reduction in an A-1 item. We might have the best intentions in the world and we might feel that we should get rid of these temporary employees but, in voting to reduce the A-1 item, we are giving blanket permission to the Election Commissioners to deprive some employees of \$35,000 of salaries. We cannot say to them, "We want you to get rid of these custodians of ballot boxes." All we can say to them is this: "Instead of giving you the amount you requested, we are giving you \$35,000 less, and it is up to you to determine just where that \$35,000 is going to be lopped off the A-1 budget," and I feel that despite the good intentions many up here might have been trying to get rid of these unnecessary employees—and I believe really that they are unnecessary—at the same time I think we might find ourselves in the peculiar position of depriving honest-to-goodness, hard-working employees of the Election Department of their proper remuneration. We lop off \$35,000 in good faith, but the Election Commissioners can

take that amount off the A-1 budget in any way they see fit, because there is no assurance when we cut \$35,000 off the A-1 item that that money is going to be saved by the discharge or nonemployment of these temporary workers. If we could accomplish that up here, I feel I would vote for it, but since it cannot be accomplished and since I am dubious the \$35,000 will be saved in that manner, I don't feel honestly I can vote for it. I have never yet voted to cut the salary of an honest city worker, and I think 99.46 per cent of the city employees are just as faithful employees as any public corporation has.

Chairman SULLIVAN—The Chair wishes to make a statement to inform the members of the Council if this budget is not acted upon by midnight, tonight, it automatically goes into effect.

Coun. COOK—Mr. President, I did not intend to get into this reconsideration, because in my motion I recommended a cut of \$40,000 in these so-called custodians of election machines. I am surprised at the contention just made by the councilor for whom I have the highest regard, the councilor from Ward 13 (Councilor Hannon), that he knows these positions are not needed and that he fears, if we make such a cut, the cuts may not apply to these custodians. Gentlemen, if you are going to act as councilors, and if you think you are going to be bullied here, and are afraid of doing something because the executive department may not do it the way you recommend, you have your remedy and your powers for the following months of this year. It is about time we showed the executive department when it comes to spending the city's money, and we say it should not be spent in a certain direction, and if he disobeys that direction, later on he will not get another nickel. I would not be afraid. If we vote to cut this \$35,000, which the councilor admits is unnecessary, I would not be afraid of any reaction from downstairs. He knows what we want to cut, and if he cuts some honest-to-goodness, working employees in the Election Department, as the councilor fears, we have our remedy later on. Let us not show any anticipatory fears. The positions are not needed and, moreover, they have not been given to anybody we know about. I say, let us start now showing we have the ability to use the power we have. When people admit money is being spent uselessly, it is up to us to say to the Mayor's office, "In our wisdom you should not spend it," and, if he sees fit to disobey that, we need not fear, because we have the power to use it in the future. I hope reconsideration prevails.

Coun. KINSELLA—Mr. Chairman, for one thing, with regard to the money, all we can do is appropriate. We cannot spend or order the manner of spending. Last week and again today I sat here prior to taking my feet, and I was amazed at the opinion expressed by adult members of this Body that we ought to govern the city by reprisals; in other words, if Mayor Curley or whoever might be mayor at the time did not do thus and so, we would penalize him in the future regardless of the high merit or quality of the thing he has in the future. I don't believe in that. I don't believe in penalizing any mayor because he won't do what we say. I served here under Mayor Tobin and Mayor Kerrigan, and for the record I would like to say here—how far shall I go—I would like to say here that there were many times I wanted to institute personal reprisals against either or both of them for what I thought was sbabby treatment, but I tried to think in terms of the 22 wards rather than in terms of imposing my own wishes in the matter. I am truly and sincerely amazed when I hear gentlemen of the caliber of some of them I have heard speak get up and advocate government by reprisal. If you don't want the item in the budget, knock it out. If you do want it in the budget, keep it there because you are convinced it should be there. It has not been brought out, if we suspend this item in the budget, these gentlemen who are the potential recipients of our votes up here, and several of them are already on the city pay roll in other capacities and have been for some years—that is to say, they have been working for the city for a number of years in other departments and were lately transferred to the Election Department—if you cut out \$35,000, most or all of it will appear in the budget in other departments, the departments to which they will have to be returned.

Coun. COOK—Mr. Chairman.

Chairman SULLIVAN—Councilor Cook, for what purpose does the gentleman arise?

Coun. COOK—Will the gentleman yield for a moment?

Chairman SULLIVAN—Does the councilor yield?

Coun. KINSELLA—Yes.

Chairman SULLIVAN—Councilor Cook.

Coun. COOK—Will the councilor explain to me, if these men have been removed from other departments, doesn't that prove they were not needed there?

Coun. KINSELLA—Mr. Chairman, that is hardly a brilliant question for Councilor Cook to ask. It does not beget anything but the obvious answer. Transfers are a common occurrence. They are done every day in the week, but for what reason is entirely beside the point. It does not mean they were worthless employees in the departments which they left, and it would be almost criminally unfair to say so. If the transfer represents a betterment, why shouldn't they go after it? We all want to be bettered by our service in here if it is possible, and we are not going to be here forever. I don't recommend that while we are here we do simple acts of kindness to justify our political existence. I pointed out here, or tried to point out a week ago today, Mr. President, that the city has \$400,000 invested, and, on the assumption that more machines will be bought this year, you have almost a million-dollar investment housed in widely scattered sections of a big, sprawling city, and they must have proper overseership. These machines have been in storage since last November. Let us assume they have no attention and we have a plebiscite in May, or, having no plebiscite in May, we have an election next November, and then the machines are found to be in a condition that won't permit them to function, and, with no paper ballots as a substitute, we will have to disfranchise the people in that precinct where the machine is out of order. If you let the job of overseeing them be done by the manufacturer, you will have to pay a stiff price for transportation and housing, because they will be experts who will come here as often as they are required. We do have at the present time a potential overseership, residents here in the city who can, for \$60 per week per man, give satisfaction or we can kick them out. I don't mean to vote to create jobs for men who won't work at salaries greater than I get myself, but I do say the investment the city has and which may be added to, is so great that we ought to have some sort of overseership at a small percentage of the cost of the article to be overseen. I don't think that is a specious or shallow argument. Why take such expensive machines, \$1,200 or \$1,300 apiece, and house a number of them in permanent public buildings scattered from the center of the city to the Dedbam line, all over the city, and leave them there between elections unnoticed and unattended? You don't have any right to let the city spend that kind of money and then let them stay in a condition that may contribute to their ruination and decay. What you are asked to spend is not \$45,000 by any stretch of the imagination, even if you employ 15, because, if these men were not currently in the budget of the Election Department, many of them would already have been provided for in the budget of other departments. You might, if the truth were known, really have some equitable figure of \$20,000 or \$25,000, rather than \$45,000, which appears to be a gross increase. That is not unthinkable. It is no different, not a bit different, from taking a laborer from the Park Department at \$1,800 and putting him in Public Works at \$1,800. The budget of the Park Department is that much less for 1947, and the budget of the Public Works is that much more, but it is not an increase, is it? I have estimated roughly, as I said last week, that on a purchase costing about \$400,000, \$45,000, or 10 per cent roughly, is not an exorbitant amount of money to pay for overseership and custodial care, and, if that figure is increased by double the machines, so that we come up with a total holding of \$800,000 before the year is out and the \$45,000 is not increased, it reduces the custodial care item to 5 per cent. That is obvious, and it is simple arithmetic. I don't think anybody here wants to say purposely with any willfulness that the machines, expensive as they have been, should be put under lock and key the day after election day and left there to their own devices, subject to vandalism and all the other evils attendant upon neglect until the

next election day. It is not a matter of putting the Mayor's friends to work, and, even if it is, it as a policy that I can support. I have supported it wholeheartedly and I don't see anything wrong with it, but really the item to consider here is not the gross cost of \$45,000 by any means. Another item to remember is that the machines, having once proven costly in their purchase, should not be allowed to gather increased costs by neglect. Third, and last, if any number of them prove to be out of order when election day next rolls around, either in May or November, you are going to disfranchise a considerable number of people who have a right to vote on any question that comes up for their consideration. I hope this item is not cut and, further than that, I hope the entire budget is passed.

Chairman SULLIVAN—The question is on reconsideration.

Coun. CHASE—Mr. President, if I understand this question correctly, sir, the Mayor has probably made allowances in the entire budget of about \$3,000,000 to take care of retirements, resignations and deaths of city employees in the various departments. With that thought in mind, Mr. President, if there are many of these 15 men we are talking about in the Election Department taken from other departments, you can rest assured that these particular departments from which they are transferred are already provided with an ample sum of money to take care of a new man. Mr. President, it has been contended by some of your Council that it would be wrong to reduce this particular item because it may affect some innocent employee, a civil service employee. If I understand civil service laws, Mr. President, not even his Honor the Mayor can fire a regular civil service employee who obtained his position through civil service examination, and especially, sir, not even the Mayor can give precedence in this Election Department job against city employees who have their jobs through competitive civil service examination. I submit to you, sir, in the event this Body reduces the budget by \$35,000, if his Honor the Mayor attempted to continue one or any number of these 13 men at the cost of a regular civil service employee, that regular civil service employee can seek protection from the civil service board. I say to you, sir, that argument is futile, that the Council can rightfully reduce this budget by \$35,000 without harming anyone. Of course, you will probably gain the frowns of his Honor the Mayor and probably obtain his dislike by not allowing him to continue with his political pets. But, sir, you have nothing to fear in my judgment as far as injuring the regular city employees of the Election Department, because they are protected at any cost. I hope, sir, your Body will see fit to go along with reconsideration, because in my opinion these 13 jobs are nothing but a waste of the taxpayers' money.

Chairman SULLIVAN—The question is on reconsideration.

Coun. HANNON—Mr. President, I would like to ask through you the chairman of the committee how many of these employees are now on the pay roll of the Election Department, if he knows.

Chairman SULLIVAN—Councillor Fish.

Coun. FISH—Do I understand the question to be who are on the pay roll from other departments?

Coun. HANNON—No, Mr. President. What I would like to know is how many men are doing this work now, and how many men are contemplated to do the work next year. My idea is that if reconsideration does prevail, then we might compromise this reduction so as to insure the retention of those employees and yet stop the hiring of any future custodians.

Chairman SULLIVAN—Councillor Fish.

Coun. FISH—To the best of my knowledge, there are ten allocated to this work at the present time, five of whom have been transferred to this work from other departments and who have been on the city pay roll for years, and five additional ones last year for a period of some for two months and some for three months. Councillor Hannon's suggestion brings to mind the committee's feeling on this matter. In all other items in the budget, we were really convinced beyond a doubt of the necessity, on this particular item, even at the time I reported the budget, the committee was not in full accord. However, in gathering testimony over and above what was stated at the hearing by the Election Commission, and the testimony where these ten went to school for a period of about two weeks at their own expense to learn the mechanism of the

machines right through, I told the committee I would bring it to the attention of the entire Council. There is no need for me to go into it further, because I think Councillor Kinsella and Councillor Coffey have brought out the salient points in the whole matter. However, if Councillor Hannon has in mind the recommendation or compromise of cutting this so that the same ten men will be available at all times for the upkeep of these machines, and I really believe they have to have some custodians over the machines involving that investment, it may be a good compromise, but there certainly is a necessity of reasonable custodianship over these machines.

Coun. BAYLEY—Mr. President.

Coun. HANNON—Mr. President.

Chairman SULLIVAN—Councillor Hannon.

Coun. HANNON—A further question, How much of a reduction would be necessary in order to ensure the present ten employees and at the same time safeguard anybody from putting on more employees?

Chairman SULLIVAN—Councillor Fish.

Coun. FISH—If I may draw this picture, the 15 retained in this work alone would be an expense of \$45,000. If Councillor Hannon goes through with such a recommendation, the expense would be \$30,000, \$15,000 less. That would not necessarily mean a \$30,000 increase over last year's budget. That could be reduced by the five who are and have been employees of the city who, if they were carried on in other departments, would be receiving in the vicinity of \$12,000. If the item were dropped entirely, those gentlemen would be on the city pay roll and working for about \$12,000. If ten were carried in this work this year at an expense of \$30,000, the increase then in the over all picture would be in the vicinity of \$18,000.

Coun. HANNON—Through you, Mr. Chairman, I would like to thank the chairman of the committee. I wish to state that I am going to vote for reconsideration and, if reconsideration does prevail, then I will offer the amendment as suggested by the chairman.

Chairman SULLIVAN—The motion is on reconsideration. All those in favor say 'aye,' those opposed, 'no.' It is a vote, and reconsideration prevails. The motion is now on Councillor Bayley's motion to reduce the A-1 personal service of the Election Department by \$35,000.

Coun. HANNON—Mr. President, I offer an amendment to that motion, to reduce the sum of \$35,000 to \$17,000, so that it will read the amount to be reduced by \$17,000, leaving the necessary \$18,000 in the budget.

Chairman SULLIVAN—Councillor Fish.

Coun. FISH—Mr. President, I hope Councillor Hannon will revise those figures so that the same be reduced from \$35,000 to \$15,000, which will leave \$30,000 in the budget, which would be an increase in the budget of \$18,000.

Coun. HANNON—Yes.

Coun. FISH—The amendment I suggest would be to reduce Councillor Bayley's amendment from \$35,000 to \$15,000.

Chairman SULLIVAN—Councillor Hannon withdraws his original amendment of \$18,000 and substitutes the figure of \$15,000.

Coun. CHASE—Mr. President, I don't like to take issue with the gentleman from Dorchester, but I don't think any good reason has been offered why this Council should not go along with the \$35,000 reduction. Here we have had, sir, the Boston Finance Commission's report, which is an unbiased report, the commission being comprised of members appointed by three different Governors. They have no particular bone to pick with this administration, sir, and they spend approximately \$50,000 a year for getting just such information as they gave this Body, and they have found, sir, in their judgment, after due investigation, that this is a waste of the taxpayers' money. They called it to our attention to reduce the budget. I am basing my entire opinion, sir, on the report of the Finance Commission. I think we should heed their advice. They called to our attention that other municipalities in the country with two, three, or four times the number of voting machines, never have more than one or two custodians to take care of the machines. Yet, sir, the City of Boston with its limited number of voting machines has already ten men whom his Honor the Mayor has put in, and His Honor the Mayor proposes to put on five additional. I think, sir, that we can heed the advice of the Finance Commission and reduce this budget by \$35,000. By the reduction you will have in the

budget enough money to pay the two regular Election Department employees who have been in that department for a period of years and who are apparently experts in the problem of these machines. Those two men, sir, probably are necessary, but when we come to the other 13, who come from outside, who came in from former jobs as truck drivers, wallpaper hangers, and other jobs, and qualify themselves through Mayor Curley's efforts as custodians of voting machines supposedly because of their mechanical ability, that is too much for me to swallow. I think, sir, the arguments offered as to why this item should not be reduced by \$35,000 don't stand water. I believe, sir, most of the senior members of this Body will agree with me that there is approximately \$3,000,000 in this annual budget which provides for the hiring of new employees to take the place of those who have retired, those who have died, or those who have resigned. As to what some of the members of this Body contend, that they are afraid a reduction will injure the regular city employees, may I remind them that the item is already in the budget in the departments from which they have been transferred? If, as some of your councilors contend, the Election Department cut as proposed by the gentleman from Ward 5 will affect regular city employees in the Election Department, I will remind them once more, sir, that the civil service positively will give absolute priority to those who have become city employees through competitive civil service examination and that the custodians employed by his Honor the Mayor are not given the same type of protection as those who have jobs under civil service examinations, that the reduction of \$35,000 will not affect the regular city employees, and that his Honor the Mayor will be compelled under the circumstances to discharge those custodians whom we have in mind. I hope, sir, that the members of your Body will reject this motion and go along with the motion for the \$35,000 reduction.

Coun. RUSSO—Mr. President.

Coun. COFFEY—Mr. President.

Chairman SULLIVAN—Councilor Coffey.

Coun. COFFEY—Do we have to pass on the budget one way or the other before midnight?

Chairman SULLIVAN—That is right, councilor. Councilor Russo.

Coun. RUSSO—Mr. President, as I outlined last week and as the councilor from Ward 13 has so well stated, it is within our power to reduce the budget. We cannot single out any particular item as a whole in that department. What I have in mind, Mr. President, is that we have temporary employees working in the Election Department. They are employees who take care of the voting places where these machines are placed. By reducing the budget on the A item, personal service, of the Election Department, I am only wondering if the councilor from Ward 4 would be willing to expect at the time of election that there will not be sufficient men at the precincts in his ward to take care of the people who go in there to vote. I for one know I would like to have all my precincts manned right on election day. As a matter of fact, there have been in the past many people, many voters, unable to vote due to the fact that they were not manned properly. I don't know whether ten are needed or fifteen are needed. However, I contend that his Honor the Mayor feels that the amount of money he has requested is needed to see these machines are properly taken care of and to see to it that at the time of the election they are properly functioning, and I cannot see for the life of me how I can vote to deduct this amount of money from the budget and then perhaps have the Election Commissioners feel they want to take away from the precincts some of the temporary workers on election day. That is another fault which lies with the Legislature, that the Legislature has not seen fit to give to the City Council up to the present time the power to name specific items for any reduction or any increase. Certainly our powers are to reduce, and, when we really bring it right down, what are the powers? You may be hurting the innocent, and that is another thing his Honor the Mayor may not have on the Council, not in particular the man downstairs, but all men who have served as Mayors of the City of Boston and all future mayors under the present charter. Mr. President, the arguments pro and con have been listened to, and I have in mind, as I stated before, that I would like to see the temporary employees out there on election day, and as to any fear in regard to whether or not these

individuals have been hired to do this particular work, whether paper hangers or carpenters or cobblers can do it, may I assure the Council that I for one during my lifetime have been newspaper boy, bootblack, machine washer, carpenter, insurance man, and mortician. So I don't pay any attention to what a person has been; I pay attention to what the person can do. In regard to the protection of the civil service, I have been given to understand these positions will be filled by a civil service examination, and, if these individuals are not capable of holding that position, then I am sure the civil service will not give them the positions when the time comes.

Chairman SULLIVAN—The motion is now on Councilor Hannon's amendment to the motion, to reduce the A-1 item in the Election Department budget by \$20,000.

Coun. FISH—Mr. President, am I recognized?

Chairman SULLIVAN—Councilor Fish.

Coun. FISH—Insert in place of Councilor Bayley's reduction figure of \$35,000 Councilor Hannon's figure of \$15,000.

Coun. RUSSO—Mr. President, may I ask a point of information?

Chairman SULLIVAN—State your point of information.

Coun. RUSSO—I would like to ask through you whether that is the recommendation of the Chairman of the Appropriations Committee.

Chairman SULLIVAN—It is not. The motion now is on Councilor Hannon's amendment to Councilor Bayley's motion to reduce the A-1 item in the Election Department budget by \$15,000. All those in favor say "aye," those opposed "no." The Chair is in doubt, and the Clerk will call the roll.

Coun. KINSELLA—Mr. President.

Chairman SULLIVAN—Councilor Kinsella, for what purpose does the gentleman arise?

Coun. KINSELLA—A point of information, Mr. President.

Chairman SULLIVAN—State your point of information, councilor.

Coun. KINSELLA—Does the Council understand that this will reduce the item of \$45,000 to a figure of \$30,000? That is my understanding.

Chairman SULLIVAN—Reducing the A-1 item in the Election Department budget by \$15,000.

Coun. KINSELLA—Thank you.

Coun. FISH—Mr. Chairman, is it possible with this amendment to add the words "the recommendation that five more men not be added to the custodians"?

Chairman FISH—The recommendation is not allowed.

Coun. BAYLEY—Mr. President, if this amendment to my motion fails, the motion before the Body will be to reduce it by \$35,000?

Chairman SULLIVAN—Yes. The question is now on Councilor Hannon's amendment to Councilor Bayley's motion to reduce the A-1 item in the Election Department budget by \$15,000, and the Clerk will call the roll.

The motion to reduce by \$15,000 was carried, yeas 9, nays 7:

Yeas—Councilors Bryan, Fish, Hannon, Kelly, Kinsella, Lane, McCormack, Moriarty, Sullivan—9
Nays—Councilors Bayley, Chase, Cook, Keenan, Linehan, Madden, Muelnick—7.

Present—Councilors Cantwell, Coffey, Russo—3.

Coun. BRYAN—Mr. President, I would like to change my vote from "yes" to "no."

Coun. COFFEY—Mr. President, I desire to change my vote to "yes."

Chairman SULLIVAN—Nine votes in the affirmative and eight in the negative, and Councilor Hannon's amendment is carried.

Coun. COOK—Mr. Chairman, before I make my motion, I would like this clarified by you or the Clerk. I have a motion to cut approximately 170 items specifically from the budget, and I would like to know whether we have to vote on that item by item in separate motions, or whether I can do it department by department, or whether I can do it in toto.

Chairman SULLIVAN—Councilor Cook, the Chair will inform you it would be in order to submit your cuts by departments, but, if another councilor so wishes, he may have the question divided and acted upon each item separately.

Coun. COOK—Mr. President, I will start off with the Art Department.

Coun. FISH—Mr. President.

Chairman SULLIVAN—For what purpose does the gentleman arise?

Coun. FISH—Does any councilor have the right to question any particular item as he mentions it?

Chairman SULLIVAN—That is right.

Coun. LINEHAN—Mr. President.

Chairman SULLIVAN—For what purpose does the gentleman arise?

Coun. LINEHAN—A point of information.

Chairman SULLIVAN—State your point of information, councilor.

Coun. LINEHAN—If any councilor objects to this form of presentation by the councilor and he like myself would prefer to act on each item separately, does one councilor have the right to say it would be department by department? I would object to that, that all we need is one objection.

Chairman SULLIVAN—We will act, Councilor Linehan, by each department. If he has more than one cut in each department, you may ask for the objection, and they will be handled individually.

Coun. LINEHAN—Mr. President, I ask at this time that it be item by item from the word "go."

Coun. RUSSO—Mr. President, a point of information.

Chairman SULLIVAN—State your point of information.

Coun. RUSSO—I see there are copies of the budget and the cuts proposed by the councilor from Ward 12. I was wondering if he had any other copies he could distribute to the other members of the Council.

Chairman SULLIVAN—He has none available.

Coun. COOK—Mr. President, I am sorry I have not. I spent the week end looking over the 700 pages of the budget committee reports, which were quite interesting, and I made cuts as I went along. I finally got my secretary around eleven o'clock today to copy them, and she only made five copies. I would have liked to have had 22. Inasmuch as Councilor Linehan wants me to go through item by item, I will do it that way. I think, however, I will start off with some of the larger items. You all have City Document No. 38, which is the printed copy of the budget recommendations. On pages 56 and 57 of this document, on Special Appropriations. The first cut I recommend is in the item called "Unsafe Buildings," and an appropriation of \$40,000 is asked for. I recommend and move a cut of \$25,000. To those who have the committee report on the budget for 1947, I call your attention to pages 77 and 78. The Buildings Commissioner there said he had an unexpended balance of \$55,000. He had asked for \$100,000 for this year and was cut to \$40,000. I think, with the \$55,000 unexpended balance last year and the \$15,000 left after this cut of \$25,000, he will have \$70,000 for 1947, and it will be enough. All he can use this money for is to tear down certain buildings. He has never used up his appropriation, and I seriously doubt whether he will this year. Any unexpended balance, therefore, can be transferred to various other items in some other department with the approval of the Mayor. I think the Council will be within good discretion so far as the tax is concerned to cut this item by \$25,000, and I so move. Mr. President, a point of information.

Chairman SULLIVAN—State your point of information, Councilor Cook.

Coun. COOK—Do we have to have a vote on each one of these?

Chairman SULLIVAN—We will.

Coun. COOK—As I go along, or after I make the recommendations?

Coun. CHASE—Mr. President.

Chairman SULLIVAN—The Chair was in error. Would you mind suspending your motion until we go on with Councilor Bayley's motion? His motion was amended by Councilor Hannon, and all we took a vote on was the amendment. All in favor of Councilor Bayley's motion amended by Councilor Hannon, please say "aye."

Coun. BAYLEY—We are now voting to cut \$15,000?

Chairman SULLIVAN—Fifteen thousand dollars.

Coun. BAYLEY—What does the "no" vote mean?

Chairman SULLIVAN—The Chair was in error before.

Coun. BAYLEY—Yes.

Chairman SULLIVAN—The Chair was in error. We are voting on Councilor Hannon's amendment to Councilor Bayley's motion reducing the A-1 item of \$35,000 to \$15,000.

Coun. McCORMACK—I thought we voted on that.

Chairman SULLIVAN—We voted on the amendment, but not on the amended motion. The Chair was in error.

Coun. CANTWELL—What happens to the other votes? Does it make any difference? Does this turn the other back?

Chairman SULLIVAN—A "yes" vote is reducing the item by \$15,000. A "no" vote refers it back to the \$35,000.

Coun. FISH—Mr. President, I think you have answered my question, but I wanted to be doubly sure. The "yes" vote now means that item is decreased by \$15,000.

Coun. CHASE—Mr. President, talking on the motion.

Chairman SULLIVAN—We are on the roll call. You may be recognized just for a point of information. The roll call has been ordered.

Coun. KINSELLA—Mr. President, a point of information.

Chairman SULLIVAN—State your point of information.

Coun. KINSELLA—When we voted on Councilor Hannon's motion to amend Councilor Bayley's motion, we voted 9 to 8 in support of Councilor Hannon's motion, is that correct?

Chairman SULLIVAN—That is correct.

Coun. KINSELLA—I would like to ask the Clerk through you whether or not the acceptance of Councilor Hannon's amendment did not erase and liquidate Councilor Bayley's original motion which had not been voted on?

Chairman SULLIVAN—It did not. Councilor Hannon's motion was an amendment to Councilor Bayley's original motion in striking out the words "\$35,000" and inserting the words "\$15,000." Now, that amendment was passed, and now we are going back to the original motion to reduce the A-1 item in the Election Department by \$15,000. The Clerk will call the roll.

Coun. KINSELLA—The "yes" vote reduces it \$15,000?

Coun. BAYLEY—The "no" vote, no cut in the budget.

Chairman SULLIVAN—The Clerk will call the roll.

The roll was called, and the motion to cut the A-1 item in the Election Department \$15,000 was carried, yeas 14, nays 0:

Yeas—Councilors Bayley, Cantwell, Chase, Coffey, Fish, Hannon, Keenan, Kinsella, Linehan, Madden, McCormack, Moriarty, Muchnick, Sullivan—14.

Nays—0.

Present—Councilors Cook, Russo—2.

Coun. COOK—Mr. President, may I have my vote changed from "present" to "yes."

Chairman SULLIVAN—There being no objection, Councilor Cook's vote is changed to "yes." Fifteen votes in the affirmative, none in the negative, and Councilor Bayley's motion as amended is carried, and the A-1 item in the Election Department budget is reduced by \$15,000.

Later in the session Coun. BRYAN said:

Mr. President, I ask unanimous consent to be recorded in the affirmative on the \$15,000 reduction in the Election Department.

Chairman SULLIVAN—If there is no objection, Councilor Bryan's vote is so recorded.

Coun. COOK—Mr. Chairman, I make a motion to reduce the item of Unsafe Buildings by the sum of \$25,000.

Chairman SULLIVAN—That is under Special Appropriations on page 57.

Coun. MADDEN—Mr. Chairman, I would like to get unanimous consent to introduce a couple of resolutions without argument. I ask that at this time, with the thought in mind that we may go on at great length and argue over the budget. This has nothing to do with the budget but it pertains to veteran matters. I ask unanimous consent to introduce the resolution at this time without debate.

Coun. COFFEY—Mr. President, if he does, I would like to ask the same consent.

Chairman SULLIVAN—The Chair will rule both motions are out of order. The motion now before the Body is Councilor Cook's motion to reduce the item of \$40,000 in Unsafe Buildings under Special Appropriations by \$25,000.

Coun. CHASE—Mr. President, there is some doubt in my mind whether or not this appropriation item is necessary at all. If I understand it, sir, many of your building wreckers are very happy

to undertake a contract with the city or with private individuals to rip down buildings, old buildings, merely for the salvage they can obtain from it. I venture to say, sir, in practically all cases of old properties being torn down, the city could secure this work done for nothing. Many of your building wreckers would be very happy, sir, to get the free bricks, free lumber, free plumbing, and so forth. I am going to move to have this motion amended so that the item will be reduced to \$2,000, and I so move.

Coun. MUCHNICK—Mr. President.

Coun. FISH—Mr. President.

Chairman SULLIVAN—Councilor Chase moves to amend Councilor Cook's motion by \$38,000.

Coun. MUCHNICK—Mr. President, I wonder if I could ask Councilor Chase and after him Councilor Cook, the same question through the Chair.

Chairman SULLIVAN—State your question.

Coun. MUCHNICK—I would like to know why they leave the amounts they do in this particular item, why they cut out the amounts they cut out. Why pick those figures instead of other figures?

Chairman SULLIVAN—The motion is on Councilor Chase's amendment to Councilor Cook's motion to reduce the item by \$38,000. All those in favor say "aye" —

Coun. MUCHNICK—Mr. President, I would like to know if I could have an answer from either or both of the gentlemen.

Chairman SULLIVAN—The gentlemen do not have to give any reason why they have given these figures and as neither one was taking the floor, the Chair was putting the question to the Body.

Coun. LINEHAN—Mr. President.

Coun. RUSSO—Mr. President.

Chairman SULLIVAN—For what purpose do you arise, Councilor Linehan?

Coun. LINEHAN—A point of information, Mr. President.

Chairman SULLIVAN—Councilor Linehan, speaking on a point of information.

Coun. LINEHAN—I would like to ask the chairman of the Appropriations Committee to explain as briefly as possible just what the \$40,000 item consists of and what it was going to be spent on, so that we will know what we are voting on when we vote.

Coun. FISH—Mr. President, I hope I won't appear to be abrupt, and I am sorry to give him the first answer.

Coun. LINEHAN—I don't mind.

Coun. FISH—I held these hearings at which all the department heads were present. I notified all the Council, not just the Appropriations Committee, that they were to be held. After they were held, I sent a letter out to every member of the Council stating that the transcript was here and available for them to read, and that I would hold meetings of the Appropriations Committee four or five days later, hoping they would read the transcript and then be present at these meetings in the executive room to ask questions or to make recommendations in regard to what they may have read in the transcript. I don't condemn in any way any councilor who could not be here at the hearings for the department heads, they have other duties to attend to, and it is for that reason that I extended that courtesy, to come into the Executive Chamber at which I would hold these meetings. Previous to that they could go over the transcript. I afforded that opportunity and even more than had been done in previous years. It is not my intention to pop up and down on every little question this afternoon. In answer to this, \$40,000 plus the \$55,000 which was carried over from last year and, incidentally, the \$55,000 was carried over because they could not get labor and contractors to do the work of demolition; if they could have got them, we would never have had a carry-over because God knows, and everyone in this room knows very well, that there are hundreds and hundreds of buildings that should be condemned and torn down for public safety in the City of Boston. That money is to be spent with contractors for demolition. May I add there are privately-owned buildings whose owners will not spend a penny on them and they leave them up there as an eyesore. The city has to condemn them and then demolish them, and then take it up with the owners in court. I think that is a grand service the city does give to the taxpayers, to remove these eyesores. I think many of the private owners of these buildings would welcome

a certain member of this Council if he went into the contracting business and said, "I will go out and tear your buildings down for nothing, just the salvage there is to it."

Coun. LINEHAN—Mr. President, I want to extend my thanks to the chairman of the Committee on Appropriations for finally giving an argument as to why it should not be cut down. Personally, I am in favor of cutting down any item in this budget if it can be proved it should be cut down, but it seems to me before anyone votes on a cut he should have reasons for voting for the cut. If the gentlemen from Ward 12 and Ward 4 want to cut this item, I go along with them if they can prove and can show there is evidence that this \$40,000 is too much, even if they have just a small amount of evidence to sustain their argument, but, just to get up and say, "I move to cut this down \$15,000 or \$2,000," I, for one, am not going to go along unless they give me reasons. But I do think at this time, when the chairman of the Committee on Appropriations said he does not feel he is going to pop up here every time he is asked a question, I think he is working under a misapprehension as to his job as chairman of the committee. The chairman of a committee does not have to do all the work on the committee, he has other members of the committee who serve. That is the same as it is done in the Legislature. There is more than one man on the Committee on Appropriations. Up in the Legislature it is the Committee on Ways and Means. Different members of the committee are assigned different jobs relative to the budget, and I certainly don't hope or don't expect the gentleman from Ward 16 is only going to be the only man to hear the hunt and burden as far as the Committee on Appropriations is concerned. The other members of that committee owe it to this Body, the men who are not members of the Committee on Appropriations and not in a position to get as much information as they were—I was invited like other members of this Council, but we were just invited as members, and it was not a responsibility on our part to be at the meetings—to be able to give us some information on these items. It does seem to me it is responsibility which solely falls on the shoulders of the members of the Committee on Appropriations, and if they don't want to assume that burden it was up to them to resign from the committee. Let those members who served on the committee furnish information to the members of the City Council here assembled to consider the budget, so that we may know how we are voting, not when the department heads were before us, but on the day we are voting, and that day is today. I sincerely hope the gentleman from Ward 16 is not the only man on the Committee on Appropriations who will let the budget go through as is; with the exception of the cut on voting machine custodians. So if I ask questions, I don't want the gentleman from Ward 16 to think I am placing the burden upon him because I don't intend to do so.

Coun. FISH—Mr. President, I can only repeat what I said last week. I can't anticipate what cuts are to be recommended. To the best of my ability I will answer the questions as they come. I don't think Bohie will take advantage of it, but I have a pretty good keen sense of the reason why they may get up. When I say I am not going to pop up and down, I mean it. I am not going to be harassed unless it is a sound reason.

Coun. MUCHNICK—Mr. President, I don't want to pop up on every motion to cut that is made here, and I want to refer, as the previous speaker just did, to the reasons for my remarks of last week, as to why, except for anything that is too obviously absurd, I intend to go along with the entire budget and will probably in most cases vote against these cuts. In my opinion, it is not in any way helping to cause a permanent cure for any of the ills that are troubling the city today.

Coun. BAYLEY—Mr. President.

Chairman SULLIVAN—Councilor Bayley.

Coun. BAYLEY—Mr. President, I have some suggestions for cuts, but I don't intend to harass the chairman of the Appropriations Committee. He is, of all the members of the committee, by far the best able to answer questions because he was the only member who attended all the meetings and attended them faithfully. At least two members of the committee, Mr. President, attended less than —

Chairman SULLIVAN—The motion before the Body is to reduce the Unsafe Buildings appropriation under Special Appropriations by \$38,000.

Coun. BAYLEY—Mr. President, I am trying to reach the point. All seven members of the Appropriations Committee did not report favorably upon the appropriations.

Chairman SULLIVAN—We are speaking on the motion to reduce the Unsafe Buildings under Special Appropriations by \$38,000, and not on the members of the committee.

Coun. BAYLEY—I am speaking of the fact that we don't necessarily have to uphold the committee's recommendations because probably only four members voted, so we are not necessarily bound by the committee's recommendation.

Coun. BRYAN—Mr. President.

Coun. CANTWELL—Mr. President.

Chairman SULLIVAN—Councilor Cantwell.

Coun. CANTWELL—A point of information.

Chairman SULLIVAN—State your point of information.

Coun. CANTWELL—Is it or is it not so that when these private dwellings have been torn down, the city charges back to the property owner the cost of tearing down?

Chairman SULLIVAN—Will the chairman of the committee answer Councilor Cantwell.

Coun. FISH—To the best of my knowledge, I think I am correct, if anyone has a dilapidated building and it is condemned by the city and they neglect to tear it down, the city has the right to go in and demolish that building and bring action by the Law Department against the owner.

Coun. COOK—Mr. Chairman, I won't talk on this, but I will quote Commissioner Mahoney on this subject. Chairman Fish asked, "Would you explain to the committee why you carried the balance over and did not spend that and raze the buildings? There are enough of them to take down." Mr. Mahoney answered, "We have, as everybody in the Council knows, many buildings that are unsightly. They have not as yet reached the unsafe and dangerous stage. Further, there are some buildings we are frank to admit which should come down. They may last another year or two, but they are occupied. If we vacate those people, there is no place for them to go at the present time. The only solution we have is to have an almost daily inspection of the buildings that are on the borderline by our inspectors constantly watching them until they reach that point where the tenants must be vacated. We cannot estimate exactly how many buildings of that type there are in Boston. We must carry a fairly sizable item in the budget in the event we should need it quickly." Based on his argument that they may last another year or two—and they ask for approximately \$100,000, and they had a \$55,000 unexpended balance—I think we are safe to leave him \$15,000 this year and with \$55,000 unexpended balance from last year, it gives him a total of \$70,000 for the year 1947, especially since four months of the year are practically gone by.

Coun. FISH—Mr. President, on the contrary they may not last a year.

Coun. KINSELLA—Mr. Chairman, I would like to ask the chairman of the Appropriations Committee if Commissioner Mahoney was asked any questions relative to the average individual cost of the demolition of houses.

Chairman SULLIVAN—Would you answer Councilor Kinsella?

Coun. FISH—Councilor Kinsella, what is the question? I would know it if Councilor Cantwell would leave me alone.

Coun. KINSELLA—Did the chairman or any other person in attendance ask Commissioner Mahoney any question relative to the average individual cost of the demolition of houses?

Coun. FISH—They vary. It depends on the size; a small barn or single dwelling, around \$400 or \$500, and large buildings in proportion. It is all on public bid, and when they bid for these jobs they take into consideration the salvage value, and that guides their figure on demolishing it.

Coun. KINSELLA—Mr. Chairman, in support of the item in the budget of Mr. Mahoney's recommendation that \$40,000 be appropriated and added to his unexpended balance of last year, I would like to direct the attention of the gentleman from Ward 12 to some of the conditions existing in my Ward alone that could be duplicated in many other wards of the city. I have in mind badly run-down houses that are so far gone it would be a waste of money to spend anything on them for the purpose of rehabilitating them physically, and when I inquired into the reason for one house in particular left standing, I was informed a lady who lived in New Hampshire

just over the Massachusetts line came down and pleaded with the Building Department not to tear the property down because she had been married in the house and her first child was born there. That is as highly sentimental and personal reason in support of it as anyone has possibly run into in your own wards. The commissioner was as lenient as possible, but he eventually had to take that property down because every door and every window in the place had been broken, and the children were getting in there and setting fires. They were tearing out the plumbing and the lighting, and while that may be looked upon as childish pranks, it would mean sooner or later that house would collapse of its own weight. The woman flatly refused to pay the cost of taking it down, in the neighborhood of \$300. It happens to be in a blind end, off Auburn street, and that property, as land, is not good for anything. The lady loses nothing by allowing the city to take over, and she won't pay the cost of that because no one will ever buy that piece of land. As I said at the outset of my remarks, \$40,000 plus \$55,000 carried over from 1946 is not a huge amount of money, and I think a man of the character of John Mahoney who knows exactly what he is doing is trying to get the money and will not hold it in reserve unless conditions come about such as Councilor Fish stated, because much of it will be used the minute it becomes available to him. It is not so long ago that Councilor Carey put in a very worthy order seeking to get some buildings in his district demolished because of the menace they offered to the neighborhood. We can all parent his remarks on that occasion. I think we ought to leave these figures in because we know they are in the custody and control of one of the best Building Department Commissioners we ever had. I recommend that it be allowed.

Coun. RUSSO—Mr. President, I, too, recommend it stay in the budget for the simple reason, if the commissioner wishes to know, some of the buildings in my own district should be demolished in order to make it safe for the people, and I will give him a very lengthy list. I, for one, would not want to see this particular item cut out and tomorrow some building may fall and there may be deaths. I can assure the commissioner, and I can assure the Council, that the same condition exists in my district, and I presume it exists in all 22 wards. There are various buildings that are occupied as the commissioner stated, but they should be condemned. I say to the commissioner, "Don't wait until a tragedy has taken place." It is up to him to see they are removed and the tenants put in other places of habitation. He should not wait until some one loses his life. The Commissioner has \$55,000 left over from the budget of last year and is seeking \$40,000 now, and I believe if he did not have that \$55,000 he would be asking for over \$100,000 this year. Therefore, I say to you, look around the City of Boston, look around in your own district, and I am sure you can very well spend the \$90,000 that the commissioner has at his disposal for the unsafe buildings, securing, removing, and so forth. There are many buildings also that need to be secured, even though they are not in a position to demolish them at the present time. I say to the commissioner: "There are those buildings in my district and you know where they are, commissioner, and if you don't, I will be glad to give you a list of them. Make sure they come down for the safety of the lives of the people who live there."

Coun. CAREY—Mr. President, I understand a recommendation has been made to make a rather substantial cut in this particular item. This is one item where if the Council had any authority to increase, it should do so. All one has to do is start with Ward 1 and go throughout the city in the 22 wards and see adequate reasons to spend considerable money, not only for the sake of removing eyesores, but of much more importance, for the sake of removing fire hazards that exist throughout the 22 wards of the city excepting possibly Wards 4 and 5, Back Bay. I think that the commissioner might well spend \$50,000 in my district alone, and perhaps more. Some of the blame might be laid on the property owners or the landlords, but regardless of who is to blame, the thing we are faced with now is trying to remove a serious hazard throughout the city. It has been argued on the floor of the Council on more than one occasion that a serious fire menace is allowed to continue in the city because of the dilapidated and unsafe buildings. The funds that are necessary

have never been fully appropriated. I know Commissioner Mahoney since he has been in charge of the department, time and time again has wanted to go ahead and demolish and raze unsafe structures; not only unsafe structures but some particularly fire menace structures. I hope this is one item the Council will leave in the budget, and I hope, instead of expediting the passage of the budget and endeavoring to reduce this amount, we might on the other hand expedite the matter of making the city safer for residents of Boston. I would say we would have to have more money instead of less money in order to remove the fire menaces and the eyesores that now exist. I hope no cut will be made in this item.

Coun. CHASE—Mr. President, I now move my amendment be amended to strike out the entire item of \$40,000. Speaking on the motion, Mr. President, I have been a member of your Body for 10 years and it seems as the years go on, sir, the more enlightened one becomes as to how the various departments are managed. I feel, sir, this item of \$40,000 can be stricken from your budget. I had in mind originally, sir, to leave \$2,000 because I forgot about the \$55,000 unexpended. Now that that has been called to my attention, sir, I feel that the entire item should be taken out. I don't need to remind you, sir, that his Honor the Mayor has taken the ash and garbage contracts and awarded them without competitive bids. Here, sir, is an item of \$40,000 which makes it possible for the taxpayers to be gypped of probably \$35,000 or even more. These contracts, apparently, are not awarded under the competitive bidding system. These contracts, sir, apparently are not grouped into one large contract and advertised and given to the lowest qualified bidder. They, sir, come under the old "gravy train," so to speak; the favored contractors of the city can be awarded this removal job on a \$400 basis, \$800 basis, and \$900 basis, whereas his Honor the Mayor and the Building Commissioner have authority, sir, to advertise this contract on a group basis, pick out your selected spots to be torn down, and advertise them, opening them up to the public, and allowing 101 different qualified building wreckers to come in and bid. I am sure, sir, under that system the city of Boston would be given a much better break than they are now given under the present system, and I venture to say that the savings would be darned close to 100 per cent. Now, I want to remind the members of your Body, sir, of an incident that occurred not so long ago, not so many months ago, just to give you an example of how the Building Department is managed, and I want to pay strict attention to this particular incident, because I think it has some bearing on the issue before us. One businessman, sir, a prominent Republican with whom I have been acquainted for years, wanted to make an addition to his factory, and the story he told me, sir, was that the building inspector sought him out. He was a little afraid of the building inspector, like many of your businessmen in Boston are, and the building inspector apparently intimidated if he would award the building contract to a particular contractor, he would give him his permit. The businessman got a bid from this particular contractor—

Coun. KINSELLA—Mr. Chairman.
Chairman SULLIVAN—Councillor Kinsella, for what purpose does the gentleman arise?

Coun. KINSELLA—A point of information.
Chairman SULLIVAN—State your point of information.

Coun. KINSELLA—The gentleman is giving evidence more properly given in court. He is talking off the subject of the motion, to cancel \$40,000 from the removal of buildings.

Chairman SULLIVAN—The point of order is well taken. The question is on the amendment to strike out the entire item of \$40,000 Councillor Chase.

Coun. CHASE—I am now talking about the Building Department. I am now talking on the very particular department which has this certain item involved in the discussion before us. I am now talking about a particular employee of that department who is charged with the duty apparently of O.K.ing permits for the purpose of tearing down unsafe buildings. So, sir, I believe I am talking on the motion because what I have to say in my opinion will have a great bearing on the matter before us. This businessman, sir, got a bid from the particular building wrecker recommended by the building inspector and he was amazed by the bid, and he sought out other bids on his own, picked them at random in the news-

papers, and lo and behold, he found the other bidders were considerably lower, four times lower, as a matter of fact, than the one recommended by the Building Department inspector. Apparently, sir, the Building Department inspector, when he found this man was entertaining ideas of securing a wrecker other than the one he suggested, said something to him that caused this businessman to wonder what it was all about, and he sought my help. I listened to his story on the telephone, and I told him that it was his duty to report to the Building Commissioner and to tell the Building Commissioner his whole story; that he, as a law-abiding citizen, was entitled to give this contract for tearing down his building to the lowest qualified building wrecker. He went before the Building Commissioner at my suggestion, and apparently he straightened the matter out before the Building Commissioner. But, sir, there is an example of an indignant taxpayer, a conscientious businessman, who apparently might have been forced to pay four times the amount that it rightfully cost to tear down a building on the space which he desired in order to enlarge his factory. I quote this case having in mind that this has a relationship to the matter before us. It is quite possible, sir, to get this work done at a much lower sum of money if you seek out the lowest qualified bidders. These contracts, in my judgment, are awarded to favorite contractors without competitive bids, and, sir, if some theory of costs apply, as they had applied in the case of my friend the businessman, you can readily see how easy it is for the city to take an awful gypping. Now, I have talked with a number of businessmen who have had occasion to have their old buildings ripped down, and I have been led to believe in many instances some of your licensed building wreckers are only too bappy to come in and perform the work for nothing. All they desire in many cases is the salvage rights, that is, the right to dispose of bricks they tear down, the right to dispose of lumber, the right to dispose of the plumbing, and whatever salvage there is left in ripping down the building. With all those things in mind, I believe the \$55,000 unexpended is more than ample for any amount of building wrecking which this particular department desires to do for the year 1947, and I believe, sir, we are warranted in view of the fact that these contracts should be awarded to competitive bidders, to strike this item out altogether. If his Honor the Mayor can prove to us that he needs this money, and shows that he has adopted the policy of awarding these contracts on a group basis to the lowest qualified bidder, if there are not ample funds we can supplement his budget. I believe I have offered substantial reasons why this entire item should be taken out, and I so move.

Chairman SULLIVAN—Councillor Chase moves the \$40,000 item in the budget under Unsafe Buildings, under Special Appropriations, be taken out, and the Clerk will call the roll.

Coun. RUSSO—Mr. President, I feel in the eagerness of the councillor to try to cut the budget, we are losing sight of the fact of safety of buildings. Although I heartily agree with some of the remarks made by the gentleman from Ward 4 (Coun. Chase) in regard to giving contracts by open bid, I am not trying to stand up as a defender of the man downstairs. As you all know, perhaps I have spoken to him about six times in sixteen months; therefore, I am not taking his part, but I would like to ask the gentleman from Ward 4 whether or not the Mayor is doing that within the law. I feel that he is. The Legislature gives him that right, and he exercises it. Further, the Legislature has said we have no right to interfere with his administrative powers. Where does that leave us? Let us be frank. We are back where we started from. We go ring-around-rosy and we are back where we started. If he so desires and he wants to give this on bid, I say that is what he should do. That is my opinion. If he does not, I am not going to say: "Withhold \$40,000. You are not going to spend a dime in order to try to save lives in my district." Mr. President I say to the Council, let us be fair to ourselves and not allow the idea of cutting down the budget to run away from the things that are vital, the obligation the city has to assume and must assume, the protection of life and limb and health of the people of the city. I have in my own district many buildings that should be torn down. I have in my own district many buildings that are boarded up that I want down. They could use this \$100,000 in my district alone and not have enough. As Councillor Carey has stated, in his own district

he felt they could use that amount and more. On this one item I, for one, will not vote to cut it down, and tomorrow have a catastrophe in my district and the blame would be on my shoulders to say I have a guilty conscience because of the fact that the budget was cut down, they had no money there in order to perform their duty. If there are private buildings and there is money, they should come down. Then I say to the commissioner, "For God's sake, do it this year." Yes, I understand we have a housing shortage but, still, the safety of those people who live in those buildings, even though they do not realize it, should come first. I have many of them in my district, and I ask the commissioner, "Look upon Battery street, Barton street, and Willard street in the North End and South End." This is one item, gentlemen, that should not be cut, and, if we had the power to add, then this is one item we should add to and not reduce.

Chairman SULLIVAN—The motion is on Councilor Chase's amendment to reduce the budget by \$40,000 under Unsafe Buildings, Special Appropriations, and the Clerk will call the roll.

The roll was called, and the motion was defeated, yeas 2, nays 14:

Yeas—Councilors Bayley, Chase—2.

Nays—Councilors Bryan, Carey, Coffey, Fish, Keenan, Kelly, Kinsella, Linehan, Madden, McCormack, Moriarty, Muchnick, Russo, Sullivan—14.

Present—Councilor Cook—1.

Chairman SULLIVAN—Two in the affirmative and fourteen in the negative, and the motion to reduce by \$40,000 is lost. Does Councilor Cook press his motion of \$25,000?

Coun. COOK—Yes.

Chairman SULLIVAN—The motion now is on Councilor Cook's motion to reduce that same item by \$25,000, and the Clerk will call the roll.

The motion to reduce the appropriation for Unsafe Buildings by \$25,000 was lost, yeas 3, nays 14:

Yeas—Councilors Bayley, Chase, Cook—3.

Nays—Councilors Bryan, Carey, Coffey, Fish, Keenan, Kelly, Kinsella, Linehan, Madden, McCormack, Moriarty, Muchnick, Russo, Sullivan—14.

Chairman SULLIVAN—Three votes in the affirmative and fourteen in the negative, and the motion is lost.

Coun. COOK—Mr. President, I make a motion that \$100,000 be cut from the Special Appropriations, in the Snow Removal item on page 57 of City Document No. 38; in the transcript, page 531.

Chairman SULLIVAN—Councilor Cook moves that the Snow Removal appropriation be reduced by \$100,000. Speaking on the motion, Councilor Cook.

Coun. COOK—Mr. President, last year I voted for a reduction in the Snow Removal appropriation, I think, of \$200,000. Last December we had, I think, \$300,000 left in the Snow Removal appropriation, \$100,000 of which was transferred within ten days to the City Hospital. This year we have had one snowfall. I doubt whether we will have enough snowfalls for the balance of the year to take care of the balance left in the Snow Removal appropriation, and, as I read the testimony of Commissioner Curley, page 531, he testified that approximately \$300,000 more or less was spent on two snowstorms, and he estimates \$100,000 as a fair estimate for snowstorms in December. I think if we cut \$100,000 we are saving on the tax rate. I would like to call to the attention of the President and the gentlemen of the Council that, if there is a snowstorm, he removes it and he will have to get the money from us. I think, however, we can take that chance, based on last year's experience and our experience of 1945. It will be a saving on the tax rate, and I don't think it is an undue chance. I think we ought to vote a \$100,000 reduction in the Snow Removal appropriation.

Coun. FISH—Mr. President, I don't think, based on the transcript alone, he has a reasonable argument. Following the meeting in the Executive Session where this recommendation was made, the following day I went to the Public Works Department. I was not in there one minute when another councilor followed me—n't followed me, he came in, and if he cares to get up after I am through, I will be glad to have him do so. I told the Public Works Commissioner there was to be a recommended cut of \$100,000 in the Snow Removal item. He said if they can afford it, they can stand it, it was certainly all right with him, because in

the event we got snow next December and it was to cost more money than he had, he would order the equipment out for public safety, which would be his duty, and the money would be forthcoming then, but he went in to the clerk in charge, and he said, "Let us see if we can afford it." Frankly, he did not care. I think he would just as soon have it cut out, but the clerk brought in the records of expenditures, and here are the records. Three hundred seventy-five thousand dollars has been spent or obligated for snow removal of the \$500,000 appropriated this year. Three hundred seventy-five thousand dollars has been encumbered. Much to my surprise, they were out on three occasions, three storms when I thought it was only two, but the record showed further it was three, and the total expense of that was \$375,000. Also against the \$500,000 was \$106,000 for three snow loaders ordered this year and two snow loaders ordered last year. I checked with the auditor to see if he had the money allocated for the two snow loaders last year, in the presence of the other councilor and the commissioner. Auditor Fox said no, that the two ordered last year plus the three ordered this year will be encumbered on the \$500,000 appropriation this year. They have been on order. That will mean a total of \$375,000 plus the \$106,000, which is \$481,000. There is then a balance of \$19,000. If that can be recommended to be cut, I will vote for it, but I can't vote for a cut of money that is not there to be cut.

Coun. BAYLEY—Mr. President.

Coun. KEENAN—Mr. President.

Chairman SULLIVAN—Councilor Keenan.

Coun. KEENAN—Do I understand the chairman of the Appropriations Committee said a certain amount of money from Snow Removal was for snow equipment?

Coun. FISH—That is right.

Coun. KEENAN—A point of information.

Chairman SULLIVAN—State your point of information, councilor.

Coun. KEENAN—Would snow equipment come under equipment of the Public Works Department instead of Snow Removal?

Chairman SULLIVAN—Ordinarily it does, councilor, but sometimes they can purchase equipment under Snow Removal appropriation.

Coun. KEENAN—I think the amount of money the commissioner or his Honor the Mayor wants for snow removal equipment should come under a special item in the Public Works Department and not under removal of snow. I think that is charged up to the wrong item in the budget. Am I correct, Mr. President?

Coun. MORIARTY—Mr. President.

Chairman SULLIVAN—That is a matter of judgment by the Commissioner of Public Works on each item. He placed the money to purchase this equipment and he is likely within his rights to do so. Councilor Moriarty.

Coun. MORIARTY—In attending one of the hearings, I gained the knowledge that this equipment to be purchased out of the Snow Removal item was particular equipment pertaining to snow removal only, such as blades and plows and what else, equipment that could not be used for any other type of work, so that it justified in my mind the fact that the equipment could be charged to snow removal.

Coun. BAYLEY—Mr. President, I was the other councilor concerned with the chairman of the Appropriations Committee when we sought the Commissioner of Public Works on the matter. I agree with everything he said except, I believe, there were only two storms, one January 1 and 2, and one the latter part of February, around the twentieth or twenty-first. Mr. President, it is true someone was called to show charges amounting to \$375,000, but what amazed me was the fact that Commissioner Curley had said here before the meeting that the first storm had cost approximately \$100,000, I believe it was, about six or seven inches, and the second storm, around four or five inches, might run up to that item. There was a question of the ice on top of the snow. When the figures were brought in and he got the figures of \$375,000 for the two storms, the commissioner turned to the assistant and said, "Those two storms cost \$375,000?" That was the tip-off to me, why the storms that should have cost \$200,000 cost \$375,000. It is about time, Mr. President, we economized in our snow removal and stop letting the contractors milk the city. Those storms were not big storms and it is ridiculous that they should have cost more than \$100,000. Mr. Curley is a good Public Works

Commissioner, and be assumed the cost as \$100,000 for the first one, and the second one less than \$100,000. Yet, when the record comes in, and we questioned the assistant, it is \$375,000 for that. Mr. President, something is wrong in Denmark, and by that I mean something is wrong in Boston. I think we should take care of our storms in an economical fashion, and I don't think it should cost us so much money. We had the reports of the Finance Commission as to how much more economical it is in snow removal in Cambridge than Boston. It seems to me it is the same type of snow that falls in Cambridge that falls in Boston. It is removed by employees of the city and not contractors. Our storms that should not cost more than \$200,000 are suddenly costing us \$375,000. Mr. President, these contractors' bills are excessive, and I believe we should cut this \$100,000, and I believe we should hold up the payment of those bills so the Finance Commission or any other body can investigate to see if these bills are padded, and to see if they represent bills for true work. Let us find out why storms that are not heavy, not over eight inches, which an expert said would cost \$100,000, should cost about \$185,000 apiece, why it should be almost double, the cost of \$370,000 to remove two storms when the Commissioner of Public Works, in whom I have the greatest confidence, said it would cost \$100,000 for each storm. I think it is about time that we look into the matter. I favor the reduction of \$100,000, because I think the cost of removal of snow was excessive, and I hope we will go along with the councilor from Ward 12 in his recommendation.

Coun. COOK—Mr. President.

Coun. KINSELLA—Mr. President.

Chairman SULLIVAN—Councilor Kinsella.

Coun. KINSELLA—There is a unique thing about this budget. On this budget every item suddenly produces somebody who is inefficient when the budget is considered but at other times in the year he is the grandest character. It is strange. About the critic from Ward 5, I would like to say, regardless of the expense of snow removal, primarily the Boston people do not get the same proportionate benefit at the huge expense for snow removal as our out-of-town brethren get—the people who come in here in the city from Greater Boston and want the streets cleared at eight o'clock in the morning regardless of how much of a fall of snow there has been the night before and for probably 12 hours. The main streets are taken care of first for no other reason than to allow an easy inflow and outflow of traffic to the residential sections of the city—and when I say residential, I mean where human beings live. I am not referring to Beacon street as being alone residential. They get second hand attention, and the only time they do any work in the more congested part of this city is after they have made it easy and pleasant for the transient customers who come in here, and you know it to be a fact, every one of you. Look around your districts, and you don't see a snow loader in your district until the storm has stopped, during which time you will get a little attention, but you are getting it here on School street when it is still falling, and you will get it on Tremont street and on Beacon street and on Washington street and on all your roads leading into the city under the jurisdiction of the city while the snow is still falling. Every one here knows that is true, and your own ward will get some attention at night after our transients have left the city which they entered as easily as they enter on a June day. The night rate for work under union agreements which the city has to honor is time and a half, and in some cases and for certain types of equipment it is double time. Those figures are high. To say even mildly there is suspicion, when the Public Works Commissioner says he is surprised that the figure is so much, implies an implication that he is going to come in here in the spring of this year with his head crowded with figures of every description and remember particularly one, two, or more storms cost a particular amount of money within \$5 or \$10. In other words, he has to come in here with an exactitude of figures when no man alive can do it in as complex a department as the Public Works Department. You were here, Mr. President, in 1944 or the year prior—yes, I think it was the winter of 1944 and 1945 when we had 58 inches of snow between December and February, and when the cost of snow removal was about \$1,300,000. We all know that there was not ten cents appropriated for snow removal, and the Public Works

Commissioner can by law encumber any future amounts to be appropriated because of the emergency condition of the work. We might easily strike out one half million dollars, though I shan't vote to strike it out, and we would not do more than save 40 cents on the tax rate, but under any circumstances we would have to give him the money in early November, and it is not inconceivable we would get a storm of appreciable size after the month of November. So I would like to recommend to the members present through you that we may have this figure of one half million dollars in the budget, bearing in mind Boston exclusively does not profit from the expenditure—not exclusively. We make it easy for people to get in here and to drive their cars over the streets that are scraped down to the macadam and to park them at the curbs and, if there is public service in that, it is a poor type of public service, because we are guilty of making the bills bigger, since all those things have to be gone back and dug over again when the cars are removed at the end of the day. That is a fair and common sense argument for retaining the one half million dollars in the budget. Just think of the times when your own wards got attention this last year, when we were fortunate enough to have a lighter fall of snow than any year of recent vintage. They did not come into my ward until the main streets of Boston Proper and the approaches to Boston were scraped, clean and dry for our daily transients, two million people. Don't fool yourselves that the City of Boston as such only profits from snow removal. Let us discuss one item in the budget without injecting a suspicion that some rogue is on the loose.

Coun. COOK—I don't think we should have so much argument on the items. I am going by the transcript. We have had public hearings, and we have the transcript, which is different from what the chairman can get privately, without casting a suspicion of dishonesty, but it certainly should be a warning to the Council that evidently some department heads feel they can come in here at a hearing and make statements, knowing nobody will take the trouble to read the statements and check up and argue it out. I still think \$100,000 can be cut, and the city will not lose a nickel on it.

Coun. FISH—Mr. President, I don't think the councilor meant we can get information privately, because I did not go privately for it. I was authorized by the —

Coun. COOK—Mr. President.

Chairman SULLIVAN—Councilor Cook, for what purpose do you arise?

Coun. FISH—Yes, I yield.

Coun. COOK—The word "privately" was meant not that he was getting secret information, but he got it by himself, and it was not given to the committee. I meant no aspersions on him at all.

Coun. FISH—Thank you. I merely wanted to repeat that I extended the courtesy to all the Council primarily to discuss the budget, and they all knew I would verify the facts because that is what I said I would do, and that is what I did. I did not go for it privately, for the benefit of the Council.

Chairman SULLIVAN—The question is on Councilor Cook's motion to reduce Snow Removal —

Coun. CHASE—Mr. President, I think this particular item could bear a \$100,000 reduction. I believe, Mr. President, it would be a worthy project for the Finance Commission to check into this item because I think Snow Removal is open to a careful survey. I think the taxpayers would benefit by a careful survey, especially, Mr. President, because of the testimony of the Public Works Commissioner. He is charged with the duty of knowing what is going on and he expressed amazement that the bills did run into such a tremendous sum. I hope, sir, the members of your Body will go along with this recommended cut.

Chairman SULLIVAN—The question is on Councilor Cook's motion to reduce the Snow Removal item in the budget under Special Appropriations by \$100,000. The Clerk will call the roll.

The motion was carried, yeas 11, nays 4:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Keenan, Lineban, McCormack, Moriarty, Russo—11.

Nays—Councilors Coffey, Fish, Kinsella, Sullivan—4.

Present—Councilors Hannon, Muchnick—2.

Chairman SULLIVAN—Eleven in the affirmative and four in the negative, and the motion is carried.

Coun. COOK—Mr. President, under Special Appropriations, for Public Celebrations, the item asked for is \$90,000. I move it be cut in the sum of \$40,000, and I call the Council's attention to page 422 of the budget testimony. Mr. President, in this item, the Director of Public Celebrations, George Curley, appeared and talked about the celebrations they were giving and hoped to give, and he said that was a figure upon which they could only make a guess. That is on page 424. He talked about the tablets that were going to be put up for veterans who were deceased, and talked about the committee appointed. I happen to be on the committee, and I think other members of the Council are on it, and I don't think we know of any tablet put up or of any public celebrations held. We all have in mind the great to-do recently about the amount of money to be spent on March 17 when the executive office suggested our senior Senator donate \$1,000. We have about eight months left of the year, and I think \$50,000 in the appropriation will last him, and I think he will spend more time and give more and better public celebrations to the city. I think we ought to cut it by \$40,000.

Coun. FISH—Mr. President, that is a matter of opinion as to how much money is needed for public celebrations. There is the question of confidence in the ability of the Director of Public Celebrations to guide the expenditures, and none of us know what occasion is going to arise. The budget, as the committee saw it, in the amount requested is not excessive in comparison to other years. The committee agreed that he was very sincere in his administration of the department to give public celebrations where necessary and not to give them when they were not necessary. In fairness to him, he could not tell how many would come, and he openly stated it was an estimate, and that is all the information he could give. I believe in the sincerity of the young man, and it is all right if you don't.

Coun. COOK—It is not a question of believing in his sincerity. I believe he has done a marvelous job, but I think since he would have \$50,000 left in the budget, he will probably use it much better than if he had \$90,000 and felt freer to give celebrations when pressure was put upon him by small organized groups, where celebrations are needless, so far as the city is concerned.

Coun. BAYLEY—Mr. President, I would like to point out that the cost of public celebrations has more than doubled according to an article which I have here. If this is cut from \$90,000 to \$50,000, you will still be allowing more than \$8,000 in it than before the war, and I hope that the councilor will go along with the councilor from Ward 12.

Chairman SULLIVAN—The motion is to reduce the budget by \$40,000 under Public Celebrations, Special Appropriations, and the Clerk will call the roll.

The motion to reduce the budget for Public Celebrations by \$40,000 was lost, yeas 7, nays 9:
Yeas—Councilors Bayley, Chase, Cook, Hannon, Lineban, Moriarty, Russo—7

Nays—Councilors Bryan, Cantwell, Carey, Fish, Keenan, Kinsella, McCormack, Muchnick, Sullivan—9.

Chairman SULLIVAN—Seven votes in the affirmative and nine in the negative, and the motion is lost.

Coun. COOK—Mr. President.

Coun. HANNON—Mr. President.

Coun. COOK—I yield.

Chairman SULLIVAN—Councilor Hannon.

Coun. HANNON—Mr. President, I would like to move that when we recess, we recess from half past five to seven o'clock.

Chairman SULLIVAN—At 5.30?

Coun. HANNON—Until 7 o'clock.

Coun. CANTWELL—For what purpose?

Coun. HANNON—To eat.

Chairman SULLIVAN—Councilor Hannon moves that we adjourn to take a recess at 5.30 until 7.

Coun. BAYLEY—Mr. Chairman.

Chairman SULLIVAN—For what purpose does the gentleman arise, Councilor Bayley.

Coun. BAYLEY—On the motion, Mr. President. I think an hour is long enough. I move that it be from 6 o'clock to 7 o'clock. I think that is long

enough to eat and be back to business 5.30 to 6.30 or 6 o'clock to 7 o'clock. I think that is time enough to eat.

Chairman SULLIVAN—Councilor Hannon has made a motion that we take a recess at 5.30 to 7 p. m. All those in favor say aye, those opposed no. It is ordered.

Coun. LINEHAN—Mr. President, I move to reduce the item for Public Celebrations to \$75,000 instead of \$90,000, cutting \$15,000 off. There is no specific reason for me to pick the figure of \$15,000 other than with the thought in mind that the Director of Public Celebrations said that the St. Patrick's celebration in South Boston would be cut, and it was cut. I say if the St. Patrick's celebration was cut, I think every other celebration should be cut during the year; it seems only reasonable and fair if he cuts that particular celebration the small sum of \$15,000 out of an item of \$90,000 is small enough. It would cast a reflection on that particular holiday if we cut that one down, and not cut the others. I hope the Council will go along. If we can cut one little bit there, we can cut another little along the line. I think the Council should go along and cut it \$15,000.

Chairman SULLIVAN—Councilor Linehan's motion is to cut the Public Celebrations item under Special Appropriations by \$15,000.

Coun. KINSELLA—I have been informed that the Budget Commissioner has recommended a proportionate cut for all public celebrations this year.

Chairman SULLIVAN—The question is on the motion to reduce the Public Celebrations appropriations by \$15,000, under Special Appropriations, and the Clerk will call the roll.

Coun. CANTWELL—What is the motion, Mr. President?

Chairman SULLIVAN—To reduce the Public Celebrations item by \$15,000.

The motion to reduce the Public Celebrations item by \$15,000 was carried, yeas 10, nays 4:

Yeas—Councilors Bayley, Bryan, Carey, Chase, Cook, Hannon, Lineban, Madden, Moriarty, Russo—10.

Nays—Councilors Coffey, Fish, Kinsella, Sullivan—4.

Present—Councilors Cantwell, Muchnick—2.

Chairman SULLIVAN—Ten in the affirmative and four in the negative, and the appropriation is cut by \$15,000.

Coun. COOK—I move the special appropriation for Conventions and Entertainment of Distinguished Guests be cut by the sum of \$14,650. This is referred to on page 427 of the Budget Committee reports. I note that the Director of Conventions, Mr. Curley, says he had over 200 conventions already listed, and he pointed out last year we had the national convention of Veterans of Foreign Wars. I think since we will not have a national convention of that size and of that duration, we can cut that budget \$14,650, leaving a balance of \$30,000, and he will be able to get along nicely with that.

Chairman SULLIVAN—Councilor Cook moves the convention item in the budget be cut by \$14,650, under Special Appropriations, and the Clerk will call the roll.

Coun. CAREY—Mr. President, as one travels throughout the country he finds in every community, large and small, but particularly in large places, that every effort is being made, particularly now when we are on the threshold of, as some forecast, a depression, or at least a recession of business, to attract business to larger cities, particularly to increase the number of conventions. When we have a convention in Boston, I think all business benefits. We are not talking about \$400,000, but you might say a small, infinitesimal figure of \$14,000. I think a city the size of Boston can gamble the \$44,000 estimated in order to send out, you might say, salesmen from the Public Celebrations Department. Even though I voted for the \$15,000 cut in the last item, I have been impressed by the sincerity of Mr. Curley in trying to do a good job, and I think he might well get a headache from it. For the reason of trying to sell the city and doing more business in the city, I think we might well pass up any attempt to make a cut in this figure. I think that figure should be left in the budget.

Coun. FISH—Mr. Chairman, Councilor Carey has covered the point very well. I think we all want to see the city grow. After all, this is not a tremendous expenditure for, we might say, advertising purposes—welcoming veterans, welcoming business organizations, and so on. Other

cities do it, and if they do it, they will be the ones to benefit by it. I personally think the item should remain as is, and that we should welcome the business organizations and veterans' conventions and so forth because I think the city will benefit by it.

Chairman SULLIVAN—The question is to reduce the budget by \$14,650 under Conventions, Special Appropriations, and the Clerk will call the roll.

The motion was lost, yeas 7, nays 10:

Yeas — Councilors Bayley, Chase, Cook, Keenan, Linehan, Madden, Moriarty — 7.

Nays — Councilors Bryan, Cantwell, Carey, Coffey, Fish, Hannon, Kinsella, McCormack, Russo, Sullivan — 10.

Present— Councilor Muchnick.

Chairman SULLIVAN — Seven in the affirmative and ten in the negative, and the motion is lost.

Coun. KINSELLA—Mr. President, am I in order to move reconsideration on the \$15,000 cut on Public Celebrations?

Chairman SULLIVAN—You are, councilor.

Coun. KINSELLA—I ask reconsideration on that \$15,000 cut.

Chairman SULLIVAN—Councilor Kinsella moves reconsideration on the cut of \$15,000 under Public Celebrations, Special Appropriations.

Coun. KINSELLA—On the motion, Mr. Chairman. I don't stand to lose an awful lot proportionately on the 17th of June in Charlestown, but I am reluctant to believe that a gentleman of the high caliber of the representative from Ward 7 (Councilor Linehan) would want to institute reprisals against every other section of the city because the Mayor —

Coun. LINEHAN—Mr. President.

Chairman SULLIVAN—Councilor Linehan, for what purpose does the gentleman arise?

Coun. LINEHAN—A point of order.

Chairman SULLIVAN—State your point of order, councilor.

Coun. LINEHAN—I do not see why any time I take issue, the gentleman from Charlestown should mention reprisals. As far as I am concerned, any time he mentions reprisals he is out of order.

Chairman SULLIVAN—Councilor Kinsella.

Coun. KINSELLA—If it would not be for the delay, I would ask the stenographer to read the remarks. He said the Mayor cut out South Boston, and if that was so, others should be cut, something to that effect.

Coun. LINEHAN—Mr. President.

Chairman SULLIVAN—Councilor Linehan.

Coun. LINEHAN—That is correct, and it was a good argument for this cut.

Coun. KINSELLA—That is another word for reprisals.

Coun. LINEHAN—Mr. President.

Chairman SULLIVAN—Councilor Linehan, for what purpose does the gentleman arise?

Coun. LINEHAN—I wish the gentleman would give me a definition of the word "reprisal," as it is in the dictionary.

Coun. KINSELLA—I am not so conversant as the councilor there, but in everyday language I would say it is a means to get back by any means as long as you even up the score.

Coun. LINEHAN—Mr. President.

Chairman SULLIVAN—Councilor Linehan.

Coun. LINEHAN—I might tell the gentleman from Charlestown if he yields—

Coun. KINSELLA—I will be through in a moment, Mr. President.

Chairman SULLIVAN—The question before the Council is reconsideration of the \$15,000 cut and the Chair will ask the councilor to speak on that motion.

Coun. KINSELLA—Mr. President, less than three minutes after that cut was voted, the councilor from Ward 10 got up and advanced a very cogent argument for retaining the \$44,650 in the budget for conventions, entertainments, and so on, of distinguished guests. Who in this Chamber can say that we can spend \$44,000 on people who come and go over night when we cannot spend \$90,000 for the people who have to pay the running expenses of the city every day in the year?

Coun. LINEHAN—Mr. President.

Coun. KINSELLA—Who is going to say that?

Coun. LINEHAN—Will the gentleman yield?

Chairman SULLIVAN—Does Councilor Kinsella yield to Councilor Linehan?

Coun. KINSELLA—I yield for a question.

Chairman SULLIVAN—If the gentleman yields, he yields the floor.

Coun. KINSELLA—I would rather not yield at the moment. I will be done soon.

Chairman SULLIVAN—Councilor Kinsella.

Coun. KINSELLA—I don't see anything illogical in restoring the \$15,000 cut which is about one-sixth of \$90,000, and maintaining the figure of \$44,650, which I am ready to agree, must have presented possibilities to the gentleman who recommended the cut. He recommended \$14,650, but the councilor from Ward 10 very cleverly made us aware of the fact that it would offer us an advertising medium for business since, as he puts it, we are very close to a recession in business, if not a downright depression, and I agree with him. I agree with him, but who can say logically that if we can spend \$44,650 on people who come here to be entertained and amused at the city's expense, the object of which expenditure is to send them away with a better idea of the hospitality of Boston, that we cannot maintain \$90,000 in the budget for 780,000 people who have to supply not only the \$90,000 but the \$44,650? I would like even the gentleman from Ward 7 (Councilor Linehan) to support that argument. I would like very much that he support that argument because it is twice the amount of money that we are spending on business. What is to be said for the Mayor's attitude toward other celebrations this year? Does anyone believe he is going to be openhanded and prodigal with money? I expect to be cut, and I am the one who is attacked in my ward because your Citizens' Committee is the one which carried it over in South Boston. I personally will have to answer to 27,000 people for any substantial cut because we don't have it to do the work as it could be done in South Boston. If he cuts me, I shan't get up here at any other time of the year and oppose him because he cut me. I will have to defer to his better judgment, and I ask the council to reverse itself not for me—by any means, not for me—but for the people of the City of Boston. If we can squander, to use the word loosely, \$40,000, let us get \$90,000 for our own.

Coun. LINEHAN—The councilor has enjoyed the gentleman from Charlestown's presentation of his case, although I do get a kick out of his trying to say I am against the Mayor because the time to have shown reprisal would have been the time right at the time of the celebration, but I said nothing until this budget item.

Coun. KINSELLA—Mr. President.

Chairman SULLIVAN—For what purpose does the gentleman arise?

Coun. KINSELLA—A point of order.

Chairman SULLIVAN—State your point of order.

Coun. KINSELLA—I just want to say that I did not say he was instituting a reprisal against the Mayor. I said nothing of that sort.

Chairman SULLIVAN—Councilor Linehan.

Coun. LINEHAN—Mr. President, it seems to me I have voted for some of the cuts so far and for some I have not. I am taking them as they come, and I think on every one so far, I voted for the cut when I thought the arguments were in favor of the cut. Now, just because I said St. Patrick's Day, I don't think I am wrong. After all, what better citation is there than in one instance where they cut the budget for a particular celebration? I don't know whether any of the other celebrations are going to be cut. I do know the Mayor's office, through the Public Celebrations Director, did issue the order on the March 17 celebration. I don't think there is anything wrong in my citing that argument. I think it is one of the most valid arguments presented on this item. I don't think I should be kicked around and disparaged because I cite the March 17 celebration when I say it is probably the most valid argument which can be given for this cut. I don't doubt that if you check back in the last three or four or five or even ten years you will find \$90,000 will be the highest amount of money appropriated for this particular department, and if we cut \$15,000, we might cut the gentleman from Charlestown who has fought to keep it in here. I get a kick because it is up to the Mayor's office to cut where he sees fit, and you can rest assured he has already done it. He has started in South Boston, which you might say is a Boston celebration, and he said the cut would stay and it stayed. So I can't see why the gentleman from Charlestown should get mad at me for citing March 17.

Chairman SULLIVAN—The Council will be in order. Councilor Muchnick, will you please give the gentleman from Ward 7 your attention? Councilor Linehan.

Coun. LINEHAN—Thank you, Mr. President, but there are many more besides the gentleman from Ward 14.

Coun. MUCHNICK—Thank you, Councilor Linehan.

Coun. LINEHAN—I would like to ask the gentleman, although I don't want to make an issue between the gentleman from South Boston and the gentleman from Charlestown, but it seems to me the question is, can this department operate in an adequate manner with \$75,000, a small cut of \$15,000? He has already cut \$1,000 from the celebration in South Boston, and there is no question in my mind but that he can cut the \$14,000 the rest of the year. I would be willing to bet when June 17 rolls around there will be nothing cut from that budget. We shall see, time will tell on that. I sincerely hope the Council won't reverse itself at this time, and I hope the \$75,000 item stays instead of \$90,000.

Coun. KINSELLA—Mr. Chairman.

Chairman SULLIVAN—The Chair will inform you it is one minute before the recess, Councilor Kinsella.

Coun. KINSELLA—Just briefly. I tried to get \$1,650 for music for march music last Armistice Day to dedicate a wading pool for the Veterans of the Spanish American War and Veterans of World War I and World War II, and it took me six weeks of persuasion to get it. That is how carefully they guard their money downstairs. I ask the gentleman to consider that, if they think they are going to be prodigal with any money we give them.

Chairman SULLIVAN—Councilor Kinsella moves reconsideration on the cut of \$15,000 on Public Celebrations, Special Appropriation. The motion is pending, and the Chair will declare the Council in recess.

RECESS.

On motion of Councilor Hannon, the Council took a recess at 5.30 p. m., and were called to order by Chairman SULLIVAN at 7 p. m.

Chairman SULLIVAN—The Council will be in order. The question is on reconsideration of the cut of \$15,000, Public Celebrations Special Appropriations, and the Clerk will call the roll.

The Clerk called the roll, with the following result:

Yeas—Councilors Cantwell, Fish, Kinsella, Lane, McCormack, Russo, Sullivan—7.

Nays—Councilors Bryan, Chase, Cook, Keenan, Linehan, Moriarty—6.

Coun. CANTWELL—Mr. President, may I change my vote?

Chairman SULLIVAN—Councilor Cantwell.

Coun. CANTWELL—"Yes" to "no."

Chairman SULLIVAN—Six votes in the affirmative and seven in the negative, and the motion was lost.

Coun. COOK—Mr. President and gentlemen of the Council, if I may, I have a special item that applies to a number of departments, and with your consent I will try to list that item in a general motion. I move that the following amounts be reduced from the B-4 item in the following departments and in the following manner: Auditing Department, \$200; Budget Department, \$100; City Clerk's Department, \$75; City Planning, Board, \$675; Fire Department, \$440; Long Island Hospital, \$200; Law Department, \$500; Library Department, \$300; Public Welfare Department, \$500; Public Works Department, \$1,000; Registry Department, \$75. Those are all in the B-4 items.

Chairman SULLIVAN—What is the total, councilor?

Coun. COOK—\$4,065.

Coun. KEENAN—Mr. President, a point of information.

Chairman SULLIVAN—State your point of information.

Coun. KEENAN—I would like to know what the items are for.

Coun. COOK—The Budget Commissioner, in response to questions by myself and the committee, brought back an itemized list of those amounts in B-4 which are transportation of persons which were for hotel and travel expenses for conferences and conventions, and those amounts I have read off to be reduced in the B-4 item of those various departments are for hotel and travel expenses for

conferences and conventions. It seems to me the department heads who have received pretty substantial raises from this Council should be able to afford to go to conferences and conventions and pay their own hotel and travel expenses. I move those amounts be reduced in the budget.

Chairman SULLIVAN—Will Councilor Cook submit that list you have to the Chair?

Coun. FISH—I have an extra one here, Mr. Chairman.

Chairman SULLIVAN—Councilor Fish has one. The question is on reducing the B-4 items in the various departments, amounting to \$4,065.

Coun. FISH—Mr. President, the reason this was allowed by the committee is this \$4,000 is made up of eleven departments. The department heads are called upon from time to time not to go on any junket but to go for the city outside of the corporate limits and when they do so, I think the committee felt they were the same as an employee of any private concern. When they leave their own homes and are put to the expense of going to another city for the benefit of their concerns, or when a department head goes for the benefit of the city, I think it is common practice in business, and it is done that way, and we felt it should be done that way in the City of Boston.

Coun. MORIARTY—Mr. President, Councilor Cook implies department heads alone enjoy these moneys for transportation. However, likewise during these committee hearings I was given to understand it is for the transportation of persons within a department; that is, any investigator or anybody who has business outside of the city which may take him to other parts of the city; he is entitled to car fare or maybe automotive compensation for his travel.

Chairman SULLIVAN—The question is on the reduction of the budget amounting to \$4,065 on various items in the budget under B-4, and the Clerk will call the roll.

The motion to reduce the B-4 item by \$4,065 was lost, yeas 5, nays 8:

Yeas—Councilors Bayley, Chase, Cook, Keenan, Linehan—5.

Nays—Councilors Cantwell, Fish, Kinsella, Lane, McCormack, Moriarty, Russo, Sullivan—8.

Present—Councilor Bryan.

Chairman SULLIVAN—Five votes in the affirmative and eight in the negative, and the motion is lost.

Coun. CHASE—Mr. President, I move, sir, that item B, Sanitary Service—

Chairman SULLIVAN—On what page is that?

Coun. CHASE—Page 49. B, contractual services, items 19 and 20. I move, sir, that that particular appropriation of \$2,255,094 be reduced to \$1,100,000.

Chairman SULLIVAN—The Chair will request the councilor to specify an amount for each item.

Coun. COOK—Mr. President, a point of parliamentary inquiry.

Chairman SULLIVAN—Will you state your point of parliamentary inquiry?

Coun. COOK—I thought I had the floor when these motions went along. I did not know anybody could get up and make other motions.

Chairman SULLIVAN—Councilor, you stated from the beginning when the question was raised to break it down into individual motions, and the Chair recognized you each time you stood up and asked for the floor, but this time Councilor Chase arose and took the floor. Councilor Chase.

Coun. CHASE—Mr. President, I move item 19 be reduced by \$850,000. Talking on that motion—and on item 20—

Chairman SULLIVAN—No, take B-19 first, councilor.

Coun. CHASE—Mr. President, this particular item in the budget has been the subject of considerable controversy in the past few months. The Boston Finance Commission has filed reports informing us in their opinion if this matter was opened up to public bids to the lowest qualified bidder, that hundreds of thousands of dollars would be saved annually. There is also, Mr. President, a very serious charge made by a responsible member of your Body not so long ago with reference to this particular item, and in no uncertain terms, broadly hinted there was graft and collusion in the awarding of these contracts; he went so far as to name certain men he contended were bag men of the administration. The newspapers throughout the city the next morning featured as their main headlines the contentions of this particular councilor. Mr. President, a number of your councilors indicated shortly thereafter they

proposed to move a reduction of this particular item on the grounds of what this colleague of ours said, and subsequently on the information given to us by the official investigation for the city; namely, the Boston Finance Commission. This is a matter, Mr. President, which involves millions of dollars of the taxpayers' money, for removal of ashes and garbage in the city. It would seem to me, sir, that the proper thing to do on this particular item would be to just halve it giving his Honor the Mayor about three more months in which to arrange for the placing of these contracts through public bid to the lowest qualified bidder. If what the Boston Finance Commission said and what the gentleman from Brighton says is true, the city could possibly save a little more than a half a million dollars. Now, in view of the adverse publicity that this particular item has been receiving and in view of the adverse comments of institutions like the Finance Commission and these others, don't you think it behooves us, as members of the city government, to take cognizance of the situation and try to do something in the way of remedying it? I realize, Mr. President, that his Honor the Mayor challenged this very Body. In substance, he told us, "Mind your own business." He said publicly, Mr. President, this is a matter solely within the administrative authority of the city; in other words, he was the boss of this entire affair and the City Council had nothing to say about it. That was the sum and substance of his contention shortly after the original charges broke. Mr. President, I contend this Body has an awful lot to say with the awarding of these contracts. We have that power, the thing called the power of appropriation. We are responsible, sir, in giving to his Honor the Mayor and to the department heads this money, and we are charged with the duty, sir, in determining whether or not the amount asked for is a reasonable amount. We are charged with the duty to reduce that amount if we find he is asking an excessive amount. Now, sir, I call attention to this fact: the Boston Finance Commission, with its staff of expert investigators and their engineers, and all the other expert help that they are able to hire with the \$50,000 a year that they have to spend, has come out point-blank and contended that this particular transaction of municipal business could be done much more efficiently, much cheaper, if it was placed out through public bid to the lowest qualified bidder. You have heard of the charges of graft and collusion right here in this very Body, and you have heard an elected official even go so far as to name two men whom he contends are bagmen of the administration. In the face of these things, Mr. President, are we, the elected members of the City Council, to allow his Honor the Mayor to go unchallenged? I say to you, my proposition to reduce this budget one half, and recommend to his Honor the Mayor that he has ample funds to operate for another three months, but during the next three months he has to find ways and means of letting these contracts out publicly to the lowest qualified bidder or he won't get any more money; I say to you, through this power of appropriation we can compel his Honor the Mayor to adopt such a policy, and I believe, Mr. President, it is our duty at least to endeavor to force him to adopt this measure that I suggest because it will prove beneficial to the public at large and to the taxpayers. If we can save on this one particular item a half million dollars or more, sir, then I say, what have we got to lose by telling his Honor the Mayor, "You are getting \$1,100,000 instead of \$2,200,000. You can operate for three months, but, we warn you, put these contracts for the balance of six months out to public bid to the lowest qualified bidder, or you won't get another nickel." That is a reasonable proposition, sir. In view of everything, I think we are duty bound so to act. I hope, sir, that your Body will go along with my motion.

Coun. BAYLEY—Mr. President, I believe that the present system of refuse disposal through the contract system and otherwise can be greatly improved. In a report of January 8, 1947, from the Finance Commission of Boston it was pointed out the cost of refuse disposal in 1941 was \$432,552, and that now it is \$1,623,024, almost four times as large. In addition to that, it does not include the disposal of waste, which amounts to \$531,000 and which is paid to Coleman Brothers, contractors, for disposal of refuse at Spectacle Island. Mr. President, it was pointed out very clearly by the Finance Commission that incinerators should be provided so that we could dispose of waste much more easily than at present, and it was pointed

out in January that money had been appropriated for the incinerator in Brighton, and it was high time to put it up, but as far as I know now, no work has yet been started on the incinerator, with the result that we are paying the contractor \$7,000 a month to take the refuse and garbage from Brighton over to South Boston, where it can be disposed of, I believe, at Spectacle Island. It has been well pointed out the method we are using is costing us very, very high. When the increase is almost fourfold in six years, it does bear investigation. I agree with the gentleman from Ward 4, if we cut this appropriation down, and ask for new bids and open competition, we can get much lower bids. I would like to point out, there are, I believe, 13 districts where refuse and garbage are being disposed of by contract, with a total of 14 districts for 22 wards. That means, in many instances, even two and three wards are handled in a contract district by one contractor for which no public bid is made. It seems to me, Mr. Chairman, that there are plenty of men, especially young men back from the service, who would be glad to bid or take care of refuse disposal in certain districts provided they were small enough. When a district is as big as the Dorchester district, including two or three wards, these men setting themselves up in business cannot take care of such a big district. I asked the commissioner this question about cutting them into smaller districts and inviting small groups of people to come in and bid on these districts, but instead of that they say, "Here is the district and bid on it." If they don't wish to bid on a large district, they give it to the contractor of last year. In addition to the bids on the big districts, I believe we should let the returned service men have a chance to bid on a smaller district. It has been brought to my attention that some of them would be willing to take smaller districts, and I think those smaller districts could be handled in a much more economical fashion than the way it is done now. We have not done anything with the incinerator problem as outlined in the report of the commission. We pay \$7,000 a month to cart refuse from Brighton over to South Boston. The whole system needs revamping and it needs to be thrown open to competition, and the districts need to be cut into smaller districts whereby the boys coming back will have a chance. I hope we will get an entirely new system of contracting with preference given to the veterans, and let us show we have determined to make Boston not only a clean city but also economically run for the taxpayers and not spend four times as much as six years ago. That is not the way to improve the city, to spend four times as much.

Coun. COOK—Mr. President, I make a motion to amend this cut on B-19 to \$228,000.

Chairman SULLIVAN—To reduce it to \$228,000?

Coun. COOK—Yes. Instead of a \$500,000 cut, a \$228,000 cut.

Chairman SULLIVAN—You want it reduced to \$228,000? Is that right?

Coun. COOK—My motion is to amend Councilor Chase's motion, so that the reduction is in the sum of \$228,000, and not what he offered. I don't know what he offered.

Coun. CHASE—My motion, I believe, takes precedence, inasmuch as it is for \$850,000.

Chairman SULLIVAN—Councilor, we cannot entertain your motion at this time, as Councilor Chase's motion is larger. That will be acted upon first before we can act on the smaller amount.

Coun. COOK—Mr. President, if my motion is not in order, I had intended, based upon a report by the Finance Commission which I cannot now find, that contracts were \$328,000 too much, to offer reductions in B-19 and B-20, totaling \$328,000. On page 592 of your Budget Committee reports, Commissioner Curley quoted his letter of December, 1946, to the Mayor, in which he asked permission to make this contract with the present contractors for the year 1947 without advertising for bids because, as he said, their services had been satisfactory and the best interests of the city would be served if the same contractors were engaged for the year 1947. Also, he said that they were willing to sign a contract for 1947 at an average increase of 18 per cent over the cost of the year 1946, and in view of the higher cost of labor, Commissioner Curley thought that he ought to be given permission to dispense with advertising and have a contract from January 1, 1947, to December 31, 1947. I am in full agreement with the previous councilors that contracts involving this sum of

money should be made by public bids. I think the reasons for that are too obvious. I would like to point out to the Council that this is another illustration of where the powers we have are diminished by virtue of the trick of making a contract for only a year. You all know any contract over \$1,000 for more than a year must be approved by the City Council. So that the department head who, as we saw in the Snow Removal item, saw fit to come down before the committee and give figures which later turned out to be erroneous, here asked the Mayor for permission to give out over \$2,000,000 worth of contracts without any approval or scrutiny by the Council. Gentlemen, if you are not jealous enough of your power to look over those amounts and those contracts, I am, and I think most of you are, too. I think any department head, and most of them are guilty of that constant detour of Council scrutiny and investigation by making a contract for only one year, should have their day of investigation now. This is the time and this is the place to show not only the department heads but the City of Boston that the City Councilors take their jobs seriously, that they know something about the collection of garbage and the disposal of garbage in their districts and throughout the city, and that they are entitled to look through contracts involving \$2,000,000 worth of services. That should be thought of very, very seriously, because otherwise the department heads and the executive department will continue to keep from us those things that we should investigate, look into, and debate. This is the place where we can show them where we have the power. I hope the reduction is made.

Coun. KINSELLA—Mr. Chairman, I think everybody here knows that before a contract of this type is let the Finance Commission is in on it. An opinion is asked of any contemplated increase. I have a confession to make. It is not an easy one to make. However, I have been in the Council now five years and a half, and upon my word, on New Year's Day, just past, I found out for the first time, by law, contracts for garbage collection and disposal have to start on New Year's Day because when I came out of my house they were collecting the garbage. When I asked why he was working on New Year's Day he said under the terms of the contract, we must start New Year's Day. Here is a laborer telling me, I must confess, what I should have known, but that is only on the side. The main point to remember is that the Finance Commission is called in and consulted on these increases and yet they will turn around and run into print a voluminous report on the exorbitant cost of garbage collection and disposal to the City of Boston. They know in every instance, I think some kind of dodge or subterfuge is adopted by the Finance Commission, which has been described here by the gentleman from Ward 4 as a nonpartisan board, because the Governors have appointed them personally; I think it is a dodge on their part to take constant, regular, and constant snipes at both the Mayor and the Council. As to the suggestion the contracts be let for over a year, I think everybody here might recognize the value in limiting them to a year. You may get a bargain rate on a five-year contract, but there is not a man worthy of his salt—and none of them do business in anticipation of a loss—who knows what conditions of personnel and other factors of his business are going to be like next year. When these contracts are renegotiated every December, and the older and more experienced men know I am not concocting or fabricating the story, they know right well the Finance Commission is called in and they are consulted. It leaves the door wide open to the suggestion the Finance Commission says they would not take their suggestion, anyway, so they have to bring them out in this form. But that is hardly an objection the Finance Commission should raise at a late date, when it was present and knew what the figures were going to be. These contracts are all in force, and it is easy enough for us to abuse our power and vote half the money requested, but we cannot have the city being a welscher, especially as the watchdog over the treasury was present. They are present in person, or the secretary or the chairman, or all the members. I think we ought to be fair when we are debating the thing, and at least we owe it to the newer members of the Council to tell them the circumstances that attend these renegotiations. There may be a good deal to what the man said, the gentleman from Ward 5, about breaking up districts, but we are not con-

cerned now with realigning the districts. We are concerned with putting the seal of approval for \$2,000,000 odd for collection and disposal of garbage, and that is all the point here. If it is in accord with the law, that is all, and if that is not so, it is a matter to bring before the court. So I say, this \$2,000,000 item, for \$1,600,000 and \$531,000, should be retained in there in its entirety.

Coun. CHASE—Mr. President, may I remind the Council that all these budget items are subject to our approval? Until we have voted on these budget items, no contract is actually bona fide. You can't say these contracts are already let out by the Mayor or by the Public Works Commissioner; you fellows haven't anything to say about it, because that is an untruth. The fact is we are being called upon either to approve or to disapprove the Mayor's \$63,000,000 budget, and there is \$2,000,000 worth of contracts on ash and garbage removal in this budget. Indirectly, Mr. President, we are being called upon to approve the Mayor's policy to let these contracts out without public bid. We are being called upon, sir, to approve of his policy of apparently giving them out to anyone he sees fit to receive them. If there are other reputable people in the city, qualified contractors capable of doing the job, who are willing to do the job at much lower prices, his Honor the Mayor shrugs his shoulders and says, "I prefer the man who wants the higher price, and the City Council has nothing to do about it because it is an administrative thing." Now, it is right in our lap, Mr. President, as I predicted several months ago. This is Council business, and what I am asking the Council to do is a reasonable thing. I am asking the Council to reduce this budget by one half in order to give other qualified contractors the right to bid, the right to receive these contracts to do this business in the city at the lowest bid, and that is a reasonable proposition. I think, in view of all the charges made, in view of what responsible people have said pertaining to this particular item, that we should endeavor to do something about it. Here is the opportunity tonight, and you may never have it again, another opportunity to act, and to act in behalf of the citizens and taxpayers. Here is your opportunity to stand up and say: "Mr. Mayor, we take issue with you. We agree with the Finance Commission. We feel in view of the charges of graft, collusion, and bagmen and other things that have been said, it is our duty as part of the city government to tell you no, we want you to adopt a policy, an economic policy, one that is going to be beneficial to the taxpayers at large, and that is to give this \$2,000,000 worth of contracts to the lowest qualified bidders." Here is our opportunity, gentlemen. We can force the man to do it and we should do it. I hope, sir, the Council goes along with my motion,

Coun. FISH—Mr. President, just so long as the Public Works Commissioner is not here, I think somebody should rise at least to his defense. He wrote a letter to the Mayor asking permission to award these contracts, a letter which is in the record, in which he informed him it was in the best interests of the city to award as he recommended. I have confidence in the Public Works Commissioner and I think everybody here has. As to veterans bidding on this work, it must be remembered Bob Curley is a veteran himself. I think he, above all department heads, would be glad to see the veterans get a break. As far as the smaller districts are concerned, we can only take his testimony as a competent official that it is more economical for the city to have larger districts. Whether he is right or wrong, that is up to you to believe or not, but that is his statement. As to incineration, he has quoted publicly, and I find it in several places here, that he can only repeat that incineration will cost three times as much as the present method of collecting. Personally, I was surprised to hear that, but he repeated it on at least four occasions. I believe the man is sincere in every way. I know that he went over all these contracts with the Finance Commission, and although they may put out some lengthy, wordy report, we have this to state on the present collection of ashes and garbage. I doubt if there was a member of the Finance Commission sitting here tonight speaking on this budget who would say, "Cut out that." I doubt it very much. They may be talking in the distant future, but they are not talking on this present budget.

Chairman SULLIVAN—The question comes on Councilor Chase's motion to reduce the B-19 item in the Sanitary Service Division of the budget of

the Public Works Department by \$850,000, and the Clerk will call the roll.

The motion was lost, yeas 4, nays 12:

Yeas—Councilors Bayley, Chase, Cook, Linehan—4.

Nays—Councilors Bryan, Cantwell, Carey, Coffey, Fish, Keenan, Kinsella, Lane, McCormack, Moriarty, Russo, Sullivan—12.

Chairman SULLIVAN—Four in the affirmative and twelve in the negative, and the motion is lost.

Coun. CHASE—Mr. President, I move Item 20, Sanitary Division, be cut by \$300,000. I will make it very brief, gentlemen. It is for the same reasons I stated before.

Chairman SULLIVAN—Thank you very much, councilor. Councilor Chase moves that Item B-20 in the Sanitary Service budget of the Public Works Department be cut by \$300,000, and the Clerk will call the roll.

The motion was lost, yeas 4, nays 12:

Yeas—Councilors Bayley, Chase, Cook, Linehan—4.

Nays—Councilors Bryan, Cantwell, Carey, Coffey, Fish, Keenan, Kinsella, Lane, McCormack, Moriarty, Russo, Sullivan—12.

Chairman SULLIVAN—Four in the affirmative and twelve in the negative, and the motion is lost.

Coun. COOK—Mr. President, with the permission of the Council, I have two items in the Public Works Department, Sanitary Division, B-16, Care of Animals, which I move to reduce in the sum of \$300, and D-4, Forage for Animals, which I move to reduce \$1,400. If you will take those two together, with the consent of the Council, I will explain them. Mr. President, on page 590 of the Budget Committee's report, and page 615, it was brought out that Commissioner Curley has no more animals, namely, horses, in the Sanitary Service. Out of the appropriation allowed of \$2,000 for forage and animals, and \$300 for care of animals, approximately \$600 was spent, leaving a balance of approximately \$1,700. There are no animals now, and he does not need to take care of any and does not have any to feed. I therefore move the two items in the sum of \$300 and \$1,400 be reduced from the budget.

Coun. BAYLEY—Mr. President, I feel very much that these items can be eliminated inasmuch as they were agreed to by the Public Works Commissioner. I think the chairman of the committee this time will agree with me that the Public Works Commissioner said it was fine and he didn't want to use the money.

Coun. FISH—I must admit all they say is true, but there was a question of \$1,000 or so, and the reason that we did not take action on it was that there are a lot of expenses this year, and this \$1,000 may be available for transfer. However, it can be cut from the budget.

Chairman SULLIVAN—The question is on Councilor Cook's motion to reduce Item B-16 by \$300 and D-4 by \$1,400, in the Sanitary Division of the Public Works Department, and the Clerk will call the roll.

Coun. KEENAN—Mr. President, a point of information.

Chairman SULLIVAN—State your point of information.

Coun. KEENAN—D-4 asked for \$2,000. I was wondering what the \$600 was for.

Coun. FISH—Mr. President.

Chairman SULLIVAN—The councilor has already stated there were bills of \$600. The Clerk will call the roll.

The motion was carried, yeas 14, nays 1:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Fish, Keenan, Kinsella, Linehan, McCormack, Moriarty, Russo, Sullivan—14.

Nays—Councilor Coffey—1.

Chairman SULLIVAN—Fourteen in the affirmative and one in the negative, and the motion is carried.

Coun. BAYLEY—Mr. President, I am going to move a cut in the Treasury Department. The gentleman from Ward 12 got a little ahead of me on the last item. B-4, in the Treasury—

Chairman SULLIVAN—On what page is that, councilor?

Coun. BAYLEY—Page 54. Mr. President, I move the allowance which is \$15,000 be cut to \$5,000.

Chairman SULLIVAN—What is the motion?

Coun. BAYLEY—That it be down \$10,000 from \$15,000 to \$5,000. Mr. President, this item is for outside paymasters. These pay-

masters, I understand, are paid \$8 or \$10 a day to pay the employees around the city. Now, they go out themselves and they have a chauffeur driving them and two policemen who go along. Mr. President, the reason why I believe this is wrong is that I believe this is the wrong method of paying the employees. I believe it could be done more economically than under this method. I left in some balance because it might take awhile to change over the system. No attempt has been made to contact other cities to see what methods they are using. It has been suggested at the committee hearing it might be done by check. Some cities pay their employees by check weekly. Secondly, it might be performed by the head of the department or the section head coming into City Hall and picking up the money and going back and paying his employees each week. Thirdly, I have found out it might be done through getting some express, such as Brink's Express, to do it. I understand it could be done with a lot less than the \$15,000 which is asked for. They would be willing to go around with their own guards or some express company connected with the banks could do it. I believe this method is wrong, and that is the reason why I move that it be cut out. I realize it would appear in some other department, but I believe the system of outside paymasters is wrong. No other system has been tried, nor has any other city been contacted to see what other systems can be used. I was not the only one at the committee bearing who was not impressed with this method of doing business. I suggest either the check system or bringing in the section head to take care of this, or some other method which might be used. It seems to me a great waste of time and money to send outside paymasters plus a chauffeur plus two policemen to deliver the pay each week. I have heard it stated that on certain days they work fairly hard but that on other days they work two hours and have nothing much else to do. It seems to me \$8 or \$10 a day is pretty good pay for a couple of hours of work. We should take care of paying the employees in a much more economical fashion and we should contact other cities to see what is being done.

Coun. COFFEY—Mr. President, as usual, the gentleman is misinformed, he has very little information, and we will end up with rumors floating around here if we listen to some of the statements made here. They used the taxicab system here for a long while, and it has been an expensive system because it is nothing for a meter to run \$8 or \$10 to take a paymaster and visit as many as 15 or 20 places. The meter is running while the paymaster is paying the help, anywhere from 3 to 2,000. The cab business has been prospering as a result of taking these paymasters out. I happen to know one of the young paymasters who comes from the councilor's district who just got through speaking. He furnishes a 1946 Pontiac car, he supplies his own gas and oil and all expenses. He drives that car himself every day of the week. You see him every morning downstairs at quarter of nine waiting for the paymasters. His salary is \$60 a week flat. That is what he gets. What others get I don't know, but I do know about this young fellow who has that job. I would like to see him keep the job because I know if cabs are bired to take these paymasters around the route he does, they would get at least three times the amount he gets. I would like to see this item remain in the budget.

Coun. COOK—Mr. President, I questioned the treasurer at length on this item and I was in hopes of recommending a cut of \$3,000. It seems to me the treasurer said these items for transportation in the sum of \$8 or \$10 a day was for the one driver of the car to go around to pay off the various city employees. I think he also said that not one of these people were in the employ of the city. The councilor who just spoke gives me the impression, and if I am wrong he may correct me, that the paymaster gets \$60 a week and also gets \$8 or \$10 a day. I will yield for a correction.

Coun. COFFEY—I said the gentleman who supplies the car does the chauffeuring and he gets \$8 a day.

Chairman SULLIVAN—Councilor Cook.

Coun. COOK—I am still at a loss as to whether the gentleman who supplies the car is the paymaster.

Coun. COFFEY—No.

Coun. COOK—Then it is my attitude, Mr. President and gentlemen of the Council, that this system can be changed. The system in the Army is for the battery commander or the company commander to go to the finance office, pick up the pay for his men, go back to his men and pay them, and then go back to the finance office and make his return. I think it was developed in the examination that there are approximately 12,000 employees of the city, exclusive of the school employees who, I think, are paid by check, who get paid by our City Hall. The treasurer said he thought only a thousand of them came to City Hall during the week. He said also, they are paid every day in the week. He thought it was the most economical system, but I don't think so. I think where you have a car and driver, paymaster and two policemen, a method could be devised where the paying of the help, and that includes the policemen, could be much more economical. I don't understand why the Police Department which has quite a pay roll cannot send one of their men down with the proper protection to get their pay and to go back to the Police Department to pay their men. I think the same applies to the Fire Department. I think the same can apply to all county officials. If it is only 1,000 people who get paid at the City Hall, my judgment of figures is quite wrong, because it seems at least five thousand are hanging around the treasurer's office during the course of the week. I move the budget be cut in the sum of \$3,000.

Chairman SULLIVAN—Councillor Bayley's motion is in order at the present time, but you can put that in after.

Coun. COFFEY—Mr. President, may I say this method of paying is better because we will have to appropriate money, I am afraid, to buy new cars and take chauffeurs off the chauffeurs' list and put them on the city pay roll. I don't see where we are going to gain.

Coun. LINEHAN—Mr. Chairman, it seems to me since there has not been any policy set down for it that we can substitute, a new policy for the old, that I, for one, will vote to keep this item as it is although the system may be unsound. I hope the system is studied between now and the first of the year, and probably some agency may by then make a recommendation. I don't think any change is recommended clearly up to now.

Chairman SULLIVAN—The question is on Councillor Bayley's motion to reduce B-4, Treasury Department, by \$10,000, and the Clerk will call the roll.

The motion was lost, yeas 2, nays 15:

Yeas—Councillors Bayley, Chase—2.

Nays—Councillors Bryan, Cantwell, Carey, Coffey, Cook, Fish, Keenan, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—15.

Chairman SULLIVAN—Two in the affirmative and fifteen in the negative, and the motion is lost. The question now is on Councillor Cook's motion to reduce D-4 by \$3,000, and the Clerk will call the roll.

The motion was lost, yeas 3, nays 14:

Yeas—Councillors Bayley, Chase, Cook—3.

Nays—Councillors Bryan, Cantwell, Carey, Coffey, Fish, Keenan, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—14.

Chairman SULLIVAN—Three votes in the affirmative and fourteen in the negative, and the motion is lost.

Coun. COOK—I move the special appropriation in the Reserve Fund be reduced by \$75,000. Mr. President, on page 57 of City Document No. 38 and page 55 of the committee hearings, Mr. Fox said there that the Reserve Fund is a fund which is used for transfers for contingencies and unforeseen items which develop during the year. I think it is too much of a temptation if a large Reserve Fund is appropriated for other departments to look longingly at, and when they decide something which they would like and which is neither unforeseen nor a necessary contingency, to demand money from the Reserve Fund. I hope this amount is reduced to \$75,000 to teach them not to go looking outside of their own budget for extra money.

Chairman SULLIVAN—Councillor Cook, that is to reduce it to \$75,000 or by \$75,000?

Coun. COOK—By \$75,000.

Coun. MUCHNICK—Mr. President.

Coun. FISH—Mr. President.

Chairman SULLIVAN—Councillor Fish.

Coun. FISH—The Reserve Fund is \$124,000.

Chairman SULLIVAN—One hundred and twenty-five thousand dollars.

Coun. FISH—One hundred and twenty-five thousand dollars on a budget on the operation of the City of Boston which is \$63,000,000 is one sixth of 1 per cent to meet emergencies and transfers of money to the many departments we have. I don't think that is very much out of line. It would not be in private business.

Coun. MUCHNICK—Mr. President, I would like to ask a question of the City Clerk through you.

Chairman SULLIVAN—Councillor Muchnick.

Coun. MUCHNICK—I have been informed under the law the Reserve Fund can be as high as 1 per cent of the total budget. I have not had a chance to check it, but I would like to know if that is so.

Chairman SULLIVAN—The Chair does not know of any law affecting the City of Boston on that 1 per cent, councillor. The question comes on Councillor Cook's motion to reduce the Reserve Fund under special appropriations by \$75,000, and the Clerk will call the roll.

The motion was lost, yeas 5, nays 12:

Yeas—Councillors Bayley, Chase, Cook, Linehan, Moriarty—5.

Nays—Councillors Bryan, Cantwell, Carey, Coffey, Fish, Keenan, Kinsella, Lane, McCormack, Muchnick, Russo, Sullivan—12.

Chairman SULLIVAN—Five in the affirmative and twelve in the negative, and the motion is lost.

Coun. BAYLEY—Mr. Chairman, it may be perhaps this \$75,000 was too big a cut to make, but say it was down to \$100,000, it would not hurt anybody to cut it, and I therefore move it go from \$125,000 to \$100,000, and I hope the Council will go along because I believe it is enough of a cut.

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

Chairman SULLIVAN—The councillor has yielded.

Coun. MUCHNICK—May I ask if he would answer a question?

Chairman SULLIVAN—Councillor Bayley, would you answer a question?

Coun. BAYLEY—Let him ask it of somebody else.

Chairman SULLIVAN—The councillor says no. The question is on Councillor Bayley's motion to reduce the Reserve Fund by \$25,000 and the Clerk will call the roll.

The motion was lost, yeas 7, nays 10:

Yeas—Councillors Bayley, Cantwell, Chase, Cook, Linehan, Moriarty, Russo—7.

Nays—Councillors Bryan, Carey, Coffey, Fish, Keenan, Kinsella, Lane, McCormack, Muchnick, Sullivan—10.

Chairman SULLIVAN—Seven in the affirmative and ten in the negative, and the motion is lost.

Coun. BAYLEY—Mr. President, under special appropriations of Public Works, Ferry Improvements, I move that be cut \$10,000. Mr. President, the original department estimate was \$65,000, but \$45,000 was allowed by the Mayor, and I move it be cut another \$10,000 which I recommended to the committee at the committee hearing. Mr. President, this original \$65,000, as I get it, was based on renewing one pile fender, \$20,000, renovating Boston Head House, \$15,000, and new office building, new carpenter shop, and so on, \$30,000, which makes \$65,000. This is in connection with the ferry which runs between East Boston and the mainland. Mr. President, I took this matter up quite carefully at that time, as to whether a new office building and new carpenter shop was needed. While it was felt by the department head it might be needed, it was conceded it might get by another year or two. I have taken it up with the Commissioner of Public Works, Mr. Curley, for whom I have a high regard, and from the conferences we had at which the chairman of the committee was present, I believe he averred it was not in such a dilapidated shape that it would fall down in the next year. I would like to bring to the attention of the Council that there are plans to improve Boston through the construction of a bridge which might be built sometime, or an arterial highway, and plans for a second tunnel. There is a plan for the bridge. It seems to me although we don't know what is going to happen, the possibilities are for providing a bridge whereby the East Boston people can come over here and can walk over to our side — to this side of Boston harbor — that might be possible. The East Boston ferry serves some people but, of course, we have the underground rapid transit

there to consider. It seems to me until we are sure we are going to keep the ferry and there is no chance of a bridge across the harbor, and inasmuch as it was admitted that the carpenter shop which is now in use is not likely to fall down and is not ready to collapse, and inasmuch as the Commissioner of Public Works said he can let it go for a year or two, that is my reason for cutting out the \$10,000 so that there will be enough to renew the pile fender, renovate Boston Head House, but the office building and carpenter shop need not be built now. It is admitted for the next two or three years the old carpenter shop will be all right.

Chairman SULLIVAN—Was that \$10,000 Ferry Improvements?

Coun. BAYLEY—Special Appropriations, Public Works, Ferry Improvements, on page 57.

Chairman SULLIVAN—Reduced by \$10,000?

Coun. BAYLEY—From \$45,000 to \$35,000?

Coun. FISH—Mr. Chairman, I hardly believe the Public Works Commissioner put it in just those words. You could say of any building it may not fall down, but it could not be guaranteed. He would not be responsible if anything did happen today and some of the men fell in the harbor.

Chairman SULLIVAN—The question is on Councilor Bayley's motion to reduce Ferry Improvements, in Special Appropriations budget, by \$10,000.

Coun. COFFEY—Mr. President, I only wanted to say in tonight's *Traveler* I read where this building is likely to fall down by May 13.

Coun. BAYLEY—Will the gentleman show me the item in the paper?

Chairman SULLIVAN—The Clerk will call the roll.

The motion was lost, yeas 4, nays 13:

Yeas—Councilors Bayley, Cantwell, Chase, Cook—4.

Nays—Councilors Bryan, Carey, Coffey, Fish, Keenan, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—13.

Chairman SULLIVAN—Four in the affirmative and thirteen in the negative, and the motion is lost.

Coun. KEENAN—Mr. President, under Special Appropriations, I ask that \$50,000 be cut from the rehabilitation of the Franklin Park Zoo.

Chairman SULLIVAN—Councilor Keenan, speaking on the motion.

Coun. KEENAN—I cannot see that his Honor the Mayor and the taxpayers of the City of Boston can afford to spend \$50,000 to buy animals for Franklin Park Zoo. I think we should be able to get that money from some other item in the city, either that or probably some citizen in the City of Boston might be good enough to donate that money. I ask that \$50,000 be stripped from that budget.

Coun. BAYLEY—Mr. President, I am surprised at the distinguished councilor who has spoken. He might be interested to know that the children of Boston are now putting their pennies and nickels and dimes aside to buy animals, and we need to get the cages. Is he going to take the right of the kids who for weeks and months have been saving their pennies and nickels to buy the animals needed for that zoo, and then we wipe out from the budget \$50,000 so that we won't be able to fix the cages so that these children can buy the animals they want to put in the zoo? Is he going to say, "Wipe out the zoo entirely"? Should we say to the kids who have put in their pennies and nickels and dimes, "We have no place to put the animals and the money you have saved and donated is of no use"? Are you going to go to the fraternities—the Boston Elks have contributed an elk—and say, "We have no place to keep the animals"? Are you going to tell the poor, helpless children that their pennies cannot buy animals because there is no place to keep them? We need the money to buy the cages. So, Mr. President, I hope this motion does not succeed and that the rights of the little children of Boston may be protected.

Coun. KEENAN—Mr. President, I positively disagree with the distinguished councilor. He talks about the children bringing their pennies and nickels and dimes in. I should think the children would get more satisfaction for that by buying a five-cent ice cream cone. I think with that \$50,000, shoes could be put on the feet of many children in the City of Boston. I wish the councilor from the Back Bay could see some of the children out in my district and some of their families. The \$50,000 should go to assure homes

for them rather than animals. He talks about the Elks. I want to let him know I happen to be an Elk.

Coun. BRYAN—Mr. President, as you are aware, I am one of the members of the committee who has endeavored to raise some money to rehabilitate Franklin Park Zoo. The committee, when it checked on Franklin Park Zoo, found deplorable conditions with the cages and places for animals. We decided either something should be done to build it up or to do away with it altogether. We found enthusiasm among the people and the children for Franklin Park Zoo, so this committee went ahead and we raised nearly \$2,000. The Boston School Committee at the present time has allowed the principals of the schools to take up collections, and I believe we will have money also from other donations we are promised. We will be able to go ahead and do a little bit in stocking up cages at this zoo. I am surprised that the gentleman from Ward 17, (Councilor Keenan) made such a statement. I believe the children of this city are entitled to a zoo the same as the children in other cities. I hope this motion does not prevail.

Coun. KEENAN—Thank you, Councilor Bryan. The previous councilor did not explain it properly. I withdraw my motion.

Chairman SULLIVAN—Councilor Keenan withdraws his motion.

Coun. COOK—Mr. President, I have many items, and if I am permitted to take them up department by department I would appreciate it, or if they insist, item by item, I will do it.

Chairman SULLIVAN—Mention them item by item, and if there is any objection, the councilors can raise them.

Coun. COOK—Mr. President, I move the Mayor's Office Expenses, page 36 of City Document No. 38, and page 493 of the committee report, A-2, be reduced by \$2,000. Item B-4, \$1,500, and Item G, \$15,000. The Item A-2 is temporary employees. In that \$5,000 was asked for, and \$3,000 has been permitted. The explanation given by the Mayor's secretary on page 494, in answer to a question, "What are the temporary employees?" the secretary, Mr. Howland, said, "You mean the allowance we put in of \$5,000 for temporary employees? That is in anticipation of temporary employees. You see, there was an expense, there probably will be on the meetings on the veterans' housing and the different veterans' hospitals, the Metropolitan District Council on the Elevated. From time to time we have to call in these people." I don't know but what that is the greatest bit of double talk I ever heard. I think it should be reduced by that amount.

Coun. CHASE—Mr. President, other councilors desire to talk on particular items in question. Is he going to cover the whole field?

Chairman SULLIVAN—We are taking them by departments, councilor. If you have any objection to it, you can raise it after he is through and we will take each item separately.

Coun. COOK—Item B-4 is for transportation of persons, \$2,500 asked for, and \$1,500 is what I recommend as a cut. The item that interests me, and I don't think there was a question on it in the whole committee, is on G. In every other budget, it goes down to F, and then they show them as miscellaneous service, but the Mayor's office has a new one called G, incidentals. Incidentally, the Mayor wants \$15,000, and I think we should not give it to him.

Coun. BAYLEY—Mr. President.

Chairman SULLIVAN—Councilor Bayley.

Coun. BAYLEY—First of all, I would like to ask the City Clerk on A-2, temporary employees, providing for \$5,000, has some of that been already appropriated?

Chairman SULLIVAN—\$3,000 has been appropriated.

Coun. BAYLEY—How much can be appropriated?

Chairman SULLIVAN—\$2,000. That has been requested by Councilor Cook.

Coun. BAYLEY—Mr. President, I agree with the distinguished councilor from Ward 12, and I want to cut \$5,000 out of the A-1. Mr. President, some may say we have a very active Mayor, but on the other hand I don't see that the volume of business has increased so much he now needs 23 employees as listed on page 98 of the document before me.

Chairman SULLIVAN—Do you want to make that as another motion after we take care of Councilor Cook?

Coun. BAYLEY—I can't mention that?

Chairman SULLIVAN—That is coming under another motion Councilor Cook has made, a motion covering three items.

Coun. Bayley—All right.

Chairman SULLIVAN—The question comes on Councilor Cook's motion.

Coun. FISH—Mr. President, I would like to follow these things through as closely as I can, but when it comes to a number of items I have difficulty in locating them.

Chairman SULLIVAN—They are all in the Mayor's budget.

Coun. FISH—Still, some of the testimony is lengthy and we don't have an opportunity to catch up before the thing has gone by. I heard the Mayor's budget very attentively, and I recommend this budget as a whole go through as is. I can't see anything to be cut on his budget.

Coun. CHASE—Mr. President, under Item A—

Chairman SULLIVAN—Councilor Bayley made a motion trying to reduce Item A-2 by \$5,000. We are acting now on Councilor Cook's motion and that will come in after Councilor Cook's motion.

Coun. CHASE—Has he a motion on Item A?

Chairman SULLIVAN—The question is on Councilor Cook's motion to reduce A-2 by \$2,000; B-4 by \$1,500, and G, incidentals, by \$15,000, amounting to \$18,500 in the Mayor's budget, and the Clerk will call the roll.

The motion was lost, yeas 5, nays 13.

Yeas—Councilors Bayley, Chase, Cook, Keenan, Linehan-5.

Nays—Councilors Bryan, Cantwell, Carey, Coffey, Fish, Hannon, Kinsella, Lane, McComack, Moriarty, Muchnick, Russo, Sullivan-13.

Chairman SULLIVAN—Five in the affirmative and thirteen in the negative, and the motion is lost. Councilor Bayley moves now that \$5,000 be reduced under A-1 on the Mayor's budget.

Coun. BAYLEY—Correct, Mr. President. I bring to the attention of this Body that listed on page 98 of City Document 38 are 23 employees in the Mayor's office. The two preceding mayors, Mayors Tobin and Kerrigan, were able to get along with a maximum of 16 employees. When I brought this to the attention of the Mayor's secretary, he said there is a vastly increased business in the Mayor's office. I don't think it has increased that much, to merit the increase from 16 to 23 employees. I think it is over-staffed, and economy should begin at home. If the Mayor wants department heads to have economy, it seems to me he should begin in his own office. These employees are not subject to civil service, they are appointed by him and subject to his good will. It seems to me we do not need seven more employees than we had two years ago and four years ago and six years ago.

We are getting too many employees. I am only asking for a \$5,000 reduction. It is not a great deal, but it means a couple less. It seems to me 20 employees can do the work that 16 others formerly did. I hope to show we feel the same toward all the departments in a case like this, where there has been a tremendous increase in employees without absolute necessity. This will give an increase of three or four employees but let us take \$5,000 so that it cannot be the increase shown in the book.

Coun. CHASE—Mr. President, looking back on the 1945 budget, I find, sir, under the Item A, Personal Service, Mayor's Office, \$65,000. I find today in the Mayor's budget a request for \$96,200. Having already appropriated \$35,000, he is actually requesting \$63,200 at this time which, together with the item of \$3,000, makes a total of \$101,000 for help in the Mayor's office as against \$65,000 just two years ago. In other words, Mr. President, there is an increase on the Item A, non-civil service employees, of \$36,000. Yet you and I know there is not that amount of increase in business in the Mayor's office, and you and I know, Mr. President, that whatever increases his Honor the Mayor has given the necessary number of employees, that is not going to eat up that amount. These people do not come under civil service but they do come under our scrutiny. I say to you, Mr. President, that this particular item should be reduced by \$30,000, Item A. Why should Mayor Curley be given \$36,000 more than the Mayor of two years ago? There has not been that amount of increased work in the Mayor's office. If anything, there

is less work. We have not got one tenth the number of notices coming in to the city that we had about two years ago when we were in the war and for the period concluding a victorious war. It is absolutely unessential to have so many employees. Now, if this Council were to increase its budget by \$30,000, why, you would see screeching headlines throughout the Boston papers about what the corrupt City Council had done and what a useless —

Coun. KINSELLA—Mr. President.

Chairman SULLIVAN—Councilor Kinsella, for what purpose does the gentleman arise?

Coun. KINSELLA—A point of order.

Chairman SULLIVAN—State your point of order, councilor.

Coun. KINSELLA—It has not yet been proved that the City Council has done anything corrupt, and I think the gentleman owes an apology. I think it is a vicious statement to make in front of the press.

Chairman SULLIVAN—I think the point of order is well taken.

Coun. CHASE—I did not accuse the Council of being corrupt. I said you would see headlines in the newspapers criticizing the City Council. Mr. President, you have down in the Mayor's office, one man responsible for the employment of all those—over a score of employees, high-salaried employees, and among them, many of them, many of them, Mr. President, do nothing but say "Hello" to visitors as they come in to the main entrance. Yet he has the audacity to present to this Council an increased budget of \$36,000 over two years ago. Apparently committee members have sought the reason why there has been such an increase in the Mayor's office, but no one here today, no member of the Committee on Appropriations, can adequately explain to this Body why the Mayor is asking from us \$36,000 more than the Mayor of two years ago for this particular item.

Coun. FISH—Mr. President, the councilor said no member of the Appropriations Committee could explain it. If he would like an explanation —

Chairman SULLIVAN—Do you yield?

Coun. CHASE—Mr. President, I don't yield.

Chairman SULLIVAN—The councilor does not yield, Councilor Fish.

Coun. CHASE—Mr. President, if I remember correctly, the gentleman from Dorchester stated in substance that there was need for more employees because of additional work, but that is a statement that is rather broad. Just what is the nature of the increased work? What is the nature of the increased work that the gentleman downstairs should take almost a 40 per cent increase in this particular item? Is he having 40 per cent more work? It is true his actual budget is increased by many millions of dollars as against 1945 and prior years, but that does not necessarily mean more work for the employees he has in his department. I am of the opinion, sir, that it is strictly a political pay-off to the tune of \$36,000 of the taxpayers' money, and I am very much opposed to it. I am not seeking any favors from his Honor the Mayor, and I know he does not expect anything from me, but I believe I am justified, sir, in asking this budget be reduced by this Body by \$36,000 in view of the absence of any proof that that is necessary to be spent. It is a goodly sum of the taxpayers' money, and I move, sir, that the motion of the gentleman from Ward 5 be amended to \$30,000 reduction.

Coun. BAYLEY—Mr. President, I wish to apologize to the Council for making one error in my statement. There were 17 employees under Mayor Kerrigan and Mayor Tobin, whereas I said 16. I was incorrect. In checking over the new employees in the Mayor's office over what they had before, it appears there are no more clerks and stenographers; in fact, they are all called clerks instead of stenographers because that gives them more money. Where there were formerly two secretaries there were four last year and now there are six. The great increase in employees seem to be under assistant secretaries. The volume of business has not increased in the clerks and stenographers, and it appears he is surrounded by secretaries. There are now six assistant secretaries instead of three. I wonder if anybody would enlighten me as to the increased duties where six assistants are necessary; why the double in the increased number of assistant secretaries?

Coun. FISH—Mr. Chairman, to be very brief, I would say the difference is that the present

Mayor is a Mayor of great accomplishments and more accomplishments, and he needs more secretarial work than Mayors of lesser accomplishments.

Coun. KINSELLA—Mr. President, I suppose trying to compare \$30,000 against \$5,000 would not be very sensible unless there was a matter of high principle involved. My memory is good on some of these things. In the past I recall clearly the day of a transfer order coming here in the summer of 1945. That is the year the gentleman from Ward 4 brought out—bear that in mind, 1945—it was for \$5,000 to be transferred to the Mayor's office, and we had the Budget Commissioner down at that time and when we asked him why the Mayor wanted the \$5,000—the gentleman can tell you he was present—the Budget Commissioner said, "This is an election year and the king can do no wrong," and immediately he asked the press not to quote, "The king can do no wrong." In other words, \$5,000 in the late summer of 1945. Is your memory good on that, councilor?

Coun. BAYLEY—What is this?

Coun. KINSELLA—Five thousand dollars in the summer of 1945 to supplement the budget he already had passed the prior April. You were present, Mr. President, and we voted it, and in order to do the young man some good, I feel certain we would have voted him \$20,000. I am not raising the question of the \$5,000 against the recommended \$30,000 cut, but I am raising a great question of precedent. It is like the day we were kept here for hours on a \$16,000 transfer, and other items of \$1,600, \$1,800, or \$2,100 for which there probably was no good reason, and which were passed like that because they were so much smaller. I think you can all see the point I am driving at. That was for political reasons; \$5,000 in 1945 and we were told so without any minced words by the Budget Commissioner at that time. Surely, those who were present won't doubt that. We gave it not after great scrutiny, but we wanted to help a young fellow who wanted to do a favor in his office late in the summer of 1945. There is the matter of principle, and if the item here is \$30,000, then what appears to be just and right is not the amount but it is the principle behind it. If you do not happen to subscribe to the principle of putting people to work, by all means vote it out, but if you do subscribe to the principle of putting people to work, this \$5,000 in 1945 is just as important as \$30,000 in 1947. It is an unfortunate choice of years you referred to, but that is true, and you know it, young man. I hope these cuts are not effected.

Coun. CHASE—Mr. President, I believe the gentleman from Charlestown has put up a rather ridiculous argument. The fact still remains, sir, his Honor the Mayor is requesting from this Body \$36,000 more than any prior mayor received. The fact remains that he is asking for quite a substantial number more of employees than the Mayor of 1945 had. Can anyone say the item of \$30,000 is not a substantial sum? Can anyone say an item of \$30,000 is not six times \$5,000? How do you explain that item? Because the Budget Commissioner made some sort of wisecrack in 1945, are we to apply the same wisecrack to an increase of \$30,000? The fact is, Mr. President, that this item is unexplained. The fact is the present Mayor of the city has too many employees downstairs and we don't know any reason why other than the fact that they are his political pets. I grant you, sir, that every mayor of the city surrounds himself with paid employees in whom he has utmost confidence. Notwithstanding that acknowledgment, I still insist this \$30,000 increase is too much for me to stomach, especially, sir, when we don't know the reason other than the fact that they are political pay-offs. I move, sir, this item be reduced by \$30,000.

Chairman SULLIVAN—The question is on Councilor Chase's motion.

Coun. KINSELLA—Mr. President, I want to observe that it was a political pay-off in 1945, and I would like the members of the Body to know there is no difference in principle between the amounts. If a dollar can be cut legitimately in this budget, it should be, but it should not be more attractive because it is \$100,000. That is my point. In closing, I would say it was a political pay-off in 1945.

Chairman SULLIVAN—The question is on Councilor Chase's motion to reduce the A-1 item in the Mayor's office budget by \$30,000, and the Clerk will call the roll.

The motion was lost, yeas 5, nays 10:

Yeas—Councilors Bayley, Chase, Cook, Keenan, Linehan—5.

Nays—Councilors Bryan, Carey, Coffey, Fish, Hannon, Kinsella, Lane, Muchnick, Russo, Sullivan—10.

Chairman SULLIVAN—Five in the affirmative and ten in the negative, and the motion is lost. The question now comes on Councilor Bayley's motion to reduce the A-1 item in the Mayor's office by \$5,000.

Coun. BAYLEY—I would like to amend it by \$10,000.

Chairman SULLIVAN—The question now comes on Councilor Bayley's amended motion to reduce it by \$10,000, and the Clerk will call the roll.

The motion was lost, yeas 5, nays 10:

Yeas—Councilors Bayley, Chase, Cook, Keenan, Linehan—5.

Nays—Councilors Bryan, Carey, Coffey, Fish, Hannon, Kinsella, Lane, Muchnick, Russo, Sullivan—10.

Chairman SULLIVAN—Five in the affirmative, ten in the negative, and the motion is lost.

Coun. HANNON—Mr. President, I think it is imperative we have a determined vote on the budget, and we must have such a vote before 12 o'clock midnight. I think that is necessary in order that there be no reflection on the members of the Body. I have heard the arguments pro and con by the members of the Council, and I respect the wishes of each and every member but I think out of deference to the Body as a whole that we should set a certain time before 12 o'clock at which time we shall vote on the budget. I therefore move that after 10:30 o'clock all debate cease on the budget, and let it go to a vote.

Chairman SULLIVAN—The motion by Councilor Hannon is that all debate on the budget cease at the hour of 10:30.

Coun. MUCHNICK—Mr. Chairman, I would like to ask a point of information from the Clerk through you.

Chairman SULLIVAN—State your point of information.

Coun. MUCHNICK—If the budget goes by default after midnight, does the budget as is go by default or is it the budget with those amendments that have already been adopted?

Chairman SULLIVAN—The Clerk rules that the budget would go by default after 12 o'clock.

Coun. KINSELLA—Mr. President, that raises another interesting point I would like to ask. I would like to ask the Clerk through you if the budget goes by default, does that default impair any of the provisions in it on which we have acted?

Chairman SULLIVAN—None whatsoever. The question is on Councilor Hannon's motion that the debate on the budget cease at the hour of 10:30 to let it go to a vote. All those in favor say "aye," those opposed, "no." It is a vote and so ordered. The Chair will also state the members can come to a vote before that time if they wish. Councilor Cook.

Coun. COOK—Mr. President, I move reconsideration of my motion to reduce the Mayor's budget in Item G by \$15,000.

Chairman SULLIVAN—Councilor Cook moves reconsideration of the vote taken on Item G in the Mayor's office budget by \$15,000.

Coun. COOK—Briefly, Mr. President and members of the Council, I have not heard a word yet, and I have not read a word, explaining what this new Item G for incidentals is, in the Mayor's office. It seems to me the Council that gives that \$15,000 with the vague "Incidentals" without any explanation is not doing its duty.

Chairman SULLIVAN—I was in error when I accepted your motion. When we voted on these three items, we voted on them altogether. If you ask for reconsideration, you ask it on all three.

Coun. COOK—I withdraw my motion for reconsideration and I move Item G be cut \$15,000.

Chairman SULLIVAN—We have already acted on that, councilor. You can move reconsideration of the vote taken an A-2, B-4, and G.

Coun. COOK—It is a new motion to take out one item only.

Chairman SULLIVAN—Councilor, the original motion was on three items.

Coun. COOK—That is right.

Chairman SULLIVAN—And now you are seeking on one —

Coun. COOK—I withdraw the motion. Am I in order to make a motion to reduce Item G, Incidentals, by \$10,000?

Coun. FISH—Mr. President.

Chairman SULLIVAN—Councillor Cook.

Coun. COOK—My remarks are the same: If the Council gives an appropriation of money for something called "Incidentals" without any explanation, you might as well vote right now to pass the whole budget and go home.

Chairman SULLIVAN—Councillor Cook moves the Item G in the Mayor's appropriation be cut \$10,000, and the Clerk will call the roll.

The motion was lost, yeas 6, nays 9:

Yeas—Councillors Bayley, Bryan, Chase, Cook, Keenan, Linchan—6.

Nays—Councillors Cantwell, Carey, Coffey, Fish, Hannon, Lane, Muchnick, Russo, Sullivan—9.

Chairman SULLIVAN—Six in the affirmative and nine in the negative, and the motion is lost.

Coun. FISH—Mr. President, a point of information. Do I understand the councillor from Ward 12 (Councillor Cook) has withdrawn the motion now to link all the department's recommended cuts in the one recommendation, or must we take them up separately since he got a vote on that separately? We originally allowed him to take up the department's recommended cuts before we acted on it.

Chairman SULLIVAN—That is right.

Coun. FISH—He has doubled back and asked reconsideration on one of these items in the department, and withdrew that motion. Do I understand now he wants to take them up individually or can he go ahead?

Chairman SULLIVAN—No, he can go ahead as he has been going, taking them up by departments, and he can go back as he did to an individual item which he has taken up before. It was a different motion. Councillor Cook.

Coun. COOK—In this motion, with the consent of the Council, I would like to offer in three different departments the following recommendations in one item: A-1, Public Works, Sanitary Service, I recommend a reduction of \$24,000; Public Health, A-1, I recommend a reduction of \$14,000; Law Department, A-1, I recommend a reduction of \$6,000. In line with my outline of last Monday to reduce the budget in a certain amount, I said that we had at least 25 constables too many. In the Sanitary Division of the Public Works Department, we have 25 constables and we have about 70 inspectors. My recommended cut of \$24,000 will reduce the number of constables, I hope, by 12, and in the Law Department which has seven constables, my reduction will reduce that by at least three constables. In the Public Health Department, which has 39 inspectors and seven constables, my recommended cut would reduce the number of constables by seven. I know that there is going to be probably a lot of emotional talk about putting people to work. But at this time, for the benefit of the Body, I would like to say this: I agree the city should help out in putting people to work, but I do not agree they should put people to work for not working. From what I have seen in my brief experience here, at least 50 per cent of the constables we have on the pay roll are just that: paid check grabbers with no work that is any good to the city or to anybody else in the city, and probably in most of these cases they have outside jobs, and if the wrath of the Mayor's office falls upon me for suggesting that, I am ready to take it if we cut. As the Mayor said in his inaugural address of 1946, there were too many constables, and then he proceeded to cut the constables but since the summer of 1946 and through this year he has constantly added to the constables, more because, I think, he tries to be a good fellow to certain people than because he thinks of what he is really doing. I think we can make this reduction. Maybe 25 fellows won't like it, but I think the City of Boston will, and I think after a few weeks it will be all right. We are not throwing anybody out in the cold, and what we are really doing is stopping 24 or 25 men from bothering the treasurer for their pay every week.

Coun. MUCHNICK—Mr. President, I don't hold any particular quarrel with eliminating constables in two of the three departments, but I don't think we can eliminate any in the Health Department because under the law when notice is given by the Health Department to abate a nuisance that is injurious to the health of the persons of the city, that notice must be served by a constable duly qualified to serve notices under the law, before the Health Department can have a complete case for presentation in the criminal courts. If the notice is served by anybody other

than constables, one of the necessary elements is lacking and the criminal case against the prospective defendant falls of its own weight. It seems to me at least those seven persons or seven other constables must be assigned to the Health Department to handle that particular branch of the work.

Coun. CHASE—Mr. President, of course the members of the Body realize there is no need of the constables. I realize whatever I say here or whatever the councillor from Ward 12 (Councillor Cook) said pertaining to constables will undoubtedly be disputed; having in mind that, I will be very brief. I believe that probably most of the constables appointed by the members of the Council are probably used for a purpose, but it is my sincere belief that you will find the overwhelming majority of the constables appointed by his Honor the Mayor are merely there for the purpose of collecting their weekly pay. I feel, sir, that 25 constables in the Public Works Department could very readily take a cut of 20, and I move, sir, that particular item in the budget where these constables are, be reduced by \$40,000.

Chairman SULLIVAN—Councillor Chase, would you please state your motion again?

Coun. CHASE—Mr. President, inasmuch as you were busy at the time I was speaking, I will repeat briefly what I had to say. I believe that the number of constables, 25 in the Public Works Department, are unnecessary, that at the very most five would be ample; that most of these constables are nothing but political appointees who do practically no work other than walking to the Treasurer's office for their pay. As I understand it, some of them even go so far as to have their checks mailed to them. Well, now, Mr. President, I frankly feel that whatever department or offices of the Public Works Department require the use of constables, five would be ample, and with that in mind, I move that the A-1 item of the Public Works Department, Sanitary Division, be reduced by \$40,000, the salaries of 20 constables.

Chairman SULLIVAN—The question first comes on Councillor Chase's amendment to Councillor Cook's motion to reduce the A-1 item by \$40,000 in the Sanitary Division of the Public Works Department.

Coun. COFFEY—Mr. President, I move to amend the motion to read \$40,100.

Chairman SULLIVAN—Councillor Coffey, will you withdraw your motion?

Coun. COFFEY—No.

Coun. COOK—Mr. President, a point of order.

Chairman SULLIVAN—State your point of order.

Coun. COOK—The amendment is frivolous, and I think the President has the power to rule on frivolous matters.

Chairman SULLIVAN—The point of order is well taken.

Coun. COFFEY—Mr. President, I move it be reduced by the sum of \$50,000, and it is not frivolous.

Chairman SULLIVAN—Councillor Coffey moves that the A-1 item in the Sanitary Division of the Public Works Department be reduced by \$50,000, and the Clerk will call the roll.

The motion was lost, yeas 2, nays 14:

Yeas—Councillors Bayley, Chase—2.

Nays—Councillors Bryan, Cantwell, Coffey, Cook, Fish, Hannon, Keenan, Kinsella, Lane, Linchan, McCormack, Moriarty, Russo, Sullivan,—14.

Chairman SULLIVAN—Two votes in the affirmative and fourteen in the negative, and the motion is lost. The question now is on Councillor Bayley's motion to reduce A-1 —

Coun. COFFEY—Mr. President, I wish to further amend the motion to reduce it by \$52,000.

Chairman SULLIVAN—Councillor Coffey now moves that the A-1 item in the Sanitary Department budget of the Public Works Department be reduced by \$52,000, and the Clerk will call the roll.

Coun. BAYLEY—A point of order, Mr. President.

Chairman SULLIVAN—Councillor Bayley, will you state your point of order?

Coun. BAYLEY—I ask you to rule that is frivolous on account of the fact that the amount of \$50,000 has been defeated, being close to the amount of \$52,000, that the sponsor did not vote for it, the closeness of the amounts and the fact that he did not vote favorably on his own motion —

Chairman SULLIVAN—The motion is in order, and the Clerk will call the roll.

The roll was called, and the motion was lost, yeas 3; nays 13:

Yeas—Councilors Bayley, Chase, Moriarty—3.
Nays—Councilors Bryan, Cantwell, Coffey, Cook, Fish, Hannon, Keenan, Kinsella, Lane, Linehan, McCormack, Russo, Sullivan—13.

Chairman SULLIVAN—Three in the affirmative and thirteen in the negative, and the motion is lost.

Coun. CHASE—Mr. President, I believe the next question is on my motion of \$40,000.

Chairman SULLIVAN—The gentleman is correct. The question is now on Councilor Chase's motion to reduce the A-1 item of the Sanitary Division of the Public Works Department by \$40,000, and the Clerk will call the roll.

The motion was lost, yeas 4, nays 11:

Yeas—Councilors Bayley, Chase, Cook, Linehan—4.

Nays—Councilors Bryan, Cantwell, Fish, Hannon, Keenan, Kinsella, Lane, McCormack, Moriarty, Russo, Sullivan—11.

Chairman SULLIVAN—Four votes in the affirmative and eleven in the negative, and the motion is lost. The question now is on Councilor Cook's motion to reduce the A-1 item of the Sanitary Division of the Public Works Department by \$24,000; the Law Department budget \$6,000 and the Health Department budget \$14,000, making a total of \$44,000, and the Clerk will call the roll.

The motion was lost, yeas 4, nays 12:

Yeas—Councilors Bayley, Chase, Cook, Linehan—4.

Nays—Councilors Bryan, Cantwell, Fish, Hannon, Keenan, Kinsella, Lane, McCormack, Moriarty, Muchnick, Russo, Sullivan—12.

Chairman SULLIVAN—Four votes in the affirmative and twelve in the negative, and the motion is lost.

Coun. KINSELLA—Mr. Chairman, I desire to be recorded in opposition to the \$10,000 cut in the Mayor's Office, Incidentals.

Chairman SULLIVAN—If there is no objection, Councilor Kinsella will be so recorded.

Coun. McCORMACK—I ask unanimous consent to be recorded the same way,—no.

Chairman SULLIVAN—If there is no objection, Councilor McCormack will be so recorded.

Coun. BAYLEY—Mr. President, I have a small reduction in the Printing Department, C-2, and C-4, which I move to be eliminated—C-2, \$1,325, and C-4, \$1,200. The discussion on that is on page 466 of the blue book where it is stated that C-2 covers only emergency purchases. "Our presses are old. You never can tell when they are going to fall apart." Mr. Twomey later says, "We planned buying a truck." That is C-4. When asked whether he might not spend either of these items, he said, "We do not know." In other words, they have been using them, and it seems to me we can with justice eliminate these small items because they may not be needed this year, and if he needed the money—

Chairman SULLIVAN—Will you repeat that, Councilor Bayley?

Coun. BAYLEY—C-2 in the Printing Department and C-4 in the Printing.

Chairman SULLIVAN—C-2 is how much?

Coun. BAYLEY—\$1,325. That is on page 75 of the report.

Coun. FISH—Mr. Chairman, the equipment in the Printing Department, meaning the press, is just as important as a motor vehicle is to any other department. We have to purchase these throughout the various departments, and just let me read this, "Our presses are old. You never can tell when they are going to fall apart." That applies to all equipment we have in the city. C-4, Motor Vehicle, they planned to buy one last year but they could not buy one because it was not available, but they still need one.

Chairman SULLIVAN—The question is on Councilor Bayley's motion to reduce the Printing Department budget, C-2 by \$1,325 and C-4 by \$1,200, and the Clerk will call the roll.

The motion was lost, yeas 7, nays 11:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, McCormack, Russo—7.

Nays—Councilors Carey, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, Linehan, Moriarty, Muchnick, Sullivan—11.

Chairman SULLIVAN—Seven in the affirmative and eleven in the negative, and the motion is lost.

Coun. BRYAN—Mr. Chairman, I move that the budget be acted upon with all the amendments.

Chairman SULLIVAN—The Chair will rule, councilor, the Council has already passed a motion that the budget must be acted on at 10.30, and the Chair cannot entertain your motion at this time.

Coun. BAYLEY—Mr. President, I move that \$15,000 additional be cut in the A-1 item in the Election Department. We have already eliminated some money from A-1, Election Department, and I move another \$15,000 be eliminated. I want to repeat what I stated earlier very shortly. This item I think is one which we should reduce because it covers employees that are unnecessary and doing no work. The vote was close this afternoon, and I hope this motion is passed, which will make a total of \$30,000 eliminated from that department. The people are watching what we do on this item, and I believe that money should be eliminated.

Chairman SULLIVAN—The question is on Councilor Bayley's motion.

Coun. COFFEY—Mr. President, I move to amend the motion to read \$25,000 on the A-1 item, Election Department.

Chairman SULLIVAN—Councilor Coffey amends Councilor Bayley's motion to strike out an additional \$25,000 from the A-1 item in the Election Department budget, and the Clerk will call the roll.

The motion was lost, yeas 3, nays 15:

Yeas—Councilors Bayley, Chase, Cook—3.

Nays—Councilors Bryan, Cantwell, Carey, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, Linehan, Muchnick, Moriarty, McCormack, Russo, Sullivan—15.

Chairman SULLIVAN—Three in the affirmative and fifteen in the negative, and the motion is lost.

The question now comes on Councilor Bayley's motion to reduce the A-1 item in the Election Department by \$15,000, and the Clerk will call the roll.

The motion was lost, yeas 4, nays 14:

Yeas—Councilors Bayley, Chase, Cook, Muchnick—4.

Nays—Councilors Bryan, Cantwell, Carey, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo, Sullivan—14.

Chairman SULLIVAN—Four in the affirmative and fourteen in the negative, and the motion is lost.

Coun. COOK—With the consent of the Council, I make a motion to reduce the A-2 item in the various departments by the following amounts: Assessing Department, \$9,000; Traffic Department, \$2,400; City Council, \$1,000; Collecting Department, \$3,000; Public Buildings, \$10,000; Board of Real Estate Commissioners, \$500; Sanitary Service of the Public Works, \$8,000; Sewer Service of the Public Works, \$3,000; Registry Department, \$6,000; Statistics Department, \$1,000; Supply Department, \$700; Public Works, Water Division, \$10,000; Sumner Tunnel, \$5,000. Mr. President and gentlemen of the Council, if you look through the various items of A-2 which are temporary employees and consider the cuts which I have recommended you will see that I have recommended a cut which still leaves an amount equal to or more than the amount already appropriated. Most of the explanations given for the temporary employees is that they fill in on vacations, and that they fill in on emergencies. I think where we have an A-1 item which is our largest item in the city budget it would upon careful investigation show many of the A-1 or so-called permanent employees are not necessary, that many of these unnecessary employees can do the job of the so-called temporary employees. It is the same argument I made before. It is not a question in my mind of keeping people from doing constructive work for the city, but it is a question of stopping the pay roll from being padded by people most of whom we don't know and who are just there to collect a salary. I think that reduction, and I have not added it up, would be a saving to the city of a considerable amount of money with no harm to the city and with credit to the Council.

Chairman SULLIVAN—The question is on Councilor Cook's motion.

Coun. FISH—Mr. President, I am afraid if there is any cut in the temporary employees, there will have to be more permanent employees added and eventually, it will cost a great deal more, and the budget will be higher. I am not overlooking the fact that every one of these department heads

appeared before the Budget Commissioner, and none of us can deny the Budget Commissioner is sincere, probably the best Budget Commissioner we ever had, and I don't think he has allowed one penny in the budget that is excessive. I think we should be guided by men of ability, and I know I am willing to be guided by him. He sat by me every minute of the hearing and gave me good advice. May I repeat, John Sullivan does know his business as a Budget Commissioner, and he does not hobnob to any one of the department heads and let them persuade him in any way. I think the Budget Commissioner has presented a mighty fine budget to us.

Coun. COOK—Mr. President, if I may, with the consent of the Council, I would like to make an addition. I left out under the series of A-2 cuts the Child Welfare Division, \$500; Law Department, \$1,000; Licensing Board, \$200; Mayor's Office, \$2,000; Park Department, \$40,000; Cemetery Division, \$4,000; Police Department, \$2,000; Bridge Service, \$9,000, and Ferry Service, \$6,000. The remarks I made before on the others apply to those.

Coun. KINSELLA—Mr. President, will the councilor from Ward 12 tell us the total of those cuts?

Coun. COOK—I am sorry, I did not add them up. I did not have the time because I thought I would go through them by departments, instead of by items. I have not got the total.

Coun. KINSELLA—There are one or two items that intrigue me, \$500 on the Child Welfare, and \$200 some place else. You say these items are for Personal Service, Temporary Employees. I can't imagine what that \$500 would be. I would like to be enlightened.

Coun. COOK—Mr. President, in answer to the question of the councilor from Charlestown, on the budget of Child Welfare, page 182, evidently there are temporary visitors in the western part of the state, and some of them are paid by the day. That is where they get the amount. They asked for \$2,250 on temporary employees in Child Welfare, and they have appropriated only \$300. I have asked a reduction of \$500 which still leaves them a balance of \$1,450 for the rest of the year. I think they are well taken care of. My general principle of reduction throughout this A-2 item was to leave as much, if not more, in most cases more, than the amount already appropriated, and I went on the basis if they only appropriated a certain amount for four months so far, that twice that amount or a smaller amount should carry them through the year.

Coun. KINSELLA—Mr. President, I would like to direct the councilor's attention to the fact that in my opinion the employ of the temporary workers does not in any way mean or imply padding the pay roll. For example, he mentions the bridges. I know from experience some of these bridgetenders, and I think some of this Body know this, are several hundred hours in arrears on time off which the city owes them, and by this means only can that time be liquidated. There is another very pertinent argument I would like to raise. Not too long ago reference was made to the ash contracts, the districts to be cut up among the veterans. You can't get a veteran of World War I a job in this city, you have to be a veteran of World War II, and every one can't be validated in his employment. The only category of temporary worker who does not have to be a veteran is the female worker. On one side we are asked to take care of them and on the other side we are asked to strike them out, and since there is no happy medium, you have to do one or the other, knock them out or keep them in. I submit, with all due respect to the councilor from Ward 12, the Council ought to reject those recommendations.

Chairman SULLIVAN—The question is on Councilor Cook's motion to reduce the A-2 items in the various departments amounting to \$124,300, and the Clerk will call the roll.

The motion was lost, yeas 3, nays 14:

Yeas—Councilors Bayley, Chase, Cook—3.

Nays—Councilors, Bryan, Cantwell, Carey, Fish, Hannon, Keenan, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—14.

Chairman SULLIVAN—Three votes in the affirmative and fourteen in the negative, and the motion is lost.

Coun. BAYLEY—Mr. President, I am going to make a motion, and I hope the gentlemen will listen to me very carefully because I think I have a good point here, that the special appropriation for the Eastern Avenue Wharf be reduced \$5,000, from

\$35,000 to \$30,000. Mr. President, the councilor from Ward 19 who is a very able lawyer has very carefully brought out during the proceedings and at other times that the City of Boston is paying something like \$4,000 on a rental basis for the Eastern Avenue Wharf for 999 years. He feels, as several of us do, that is legally wrong, and that the case should be carried on to a higher court. It seems to me \$35,000 is not necessary for the repair of this wharf. Page 242 of the transcript of the Appropriations Committee hearings shows: "It might not run that high. We are going to bid out on the unit price. Some of the piles we might be able to save." He says, "It might not run that high," and the general impression he gave to us is that he would not need the \$35,000. If we cut this, we are not going to hurt anybody. He spent a lot of money this year, and he says he does not believe it will run that high. I hope the gentlemen of the Council will go along with me and cut the appropriation, leaving \$30,000.

Chairman SULLIVAN—The question is on Councilor Bayley's motion to reduce the Eastern Avenue Wharf repairs under special appropriations, \$5,000, and the Clerk will call the roll.

The motion was carried, yeas 13, nays 3:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Hannon, Keenan, Lane, Linehan, McCormack, Moriarty, Russo—13.

Nays—Councilors Fish, Kinsella, Sullivan—3.

Present—Councilor Muchnick—1.

Chairman SULLIVAN—Thirteen in the affirmative, three in the negative, and the motion is carried.

Coun. CHASE—Mr. President.

Coun. COOK—Mr. President.

Chairman SULLIVAN—Councilor Cook.

Coun. COOK—I have a similar motion on another item in the following amount: Boston Traffic Commission, \$1,000. These are the amounts I wish the budget to be reduced by: Election Department, \$1,000; Public Works Department, Paving Service, \$3,000; Penal Institutions Department, \$200; Public Works Department, Water Division, \$20,000; Summer Tunnel, \$22,350; "Stephen O'Meara," \$4,000; "Curley" and "Perkins," \$2,500; Licensing Board, \$75; Public Welfare Department, \$50; Bridge Service, \$5,000, and Ferry Service, \$20,000. On this item, Mr. President and gentlemen of the Council, which is supposed to be General Repairs, if you follow the transcript carefully or try to follow it, you will be very much confused. There is very much double talk on the repair item in B-39 and then appropriations for improvements under another item, and when you go through the whole thing, you will become convinced that it is just a throw-in fund which they can use for transfer. Every one of these cuts and reductions I have recommended has left an amount which in almost every instance the department head thought he would be able to spend only that amount for this year. They keep talking about getting cables to fix up projects like the Tunnel, but they cannot get the cables, and at the end of every year, and this has been going on for five years,—they can't get what they asked for. If you will look carefully, you will find these amounts have been transferred to somebody else. Last year, the same department heads asked for the same amounts and gave the same stories, and never accomplished anything. I think if we cut this amount, and it is a considerable amount in the total, we will help the city and we will not affect the departments.

Chairman SULLIVAN—The question is on Councilor Cook's motion to reduce the B-39 items by \$79,175, and the Clerk will call the roll.

The motion was lost, yeas 6, nays 11:

Yeas Councilors Bayley, Carey, Chase, Cook, Moriarty, Russo—6

Nays—Councilors Bryan, Cantwell, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, McCormack, Muchnick, Sullivan—11.

Chairman SULLIVAN—Six in the affirmative and eleven in the negative, and the motion is lost.

Coun. COOK—Mr. President, I make a motion the following items known as D-16, called Miscellaneous Supplies, be reduced in the following amounts in the following departments: Assessing Department, \$25,000; Traffic Department, \$1,000.

Coun. RUSSO—Mr. President, a point of information.

Chairman SULLIVAN—State your point of information.

Coun. RUSSO—I wonder if the councilor will just state what is the appropriation and the reduction he contemplates so that we can get an

idea how much he is asking for. We cannot go over Document 38 to find out exactly what he is talking about.

Chairman SULLIVAN—What do you want, the grand total?

Coun. RUSSO—When he states the reduction he seeks, if he will quote the amount asked for first in that particular item, and then the amount he seeks to reduce, in order to give us a fair idea to what extent he is trying to reduce it because I am trying very hard to go over Document 38 to find out the specific items he is talking about.

Chairman SULLIVAN—Have you those figures available?

Coun. COOK—I will have to go through the books, too.

Chair SULLIVAN—Councillor Cook, proceed.

Coun. COOK—In the Assessing Department, under Miscellaneous Supplies, \$50 was asked for. I recommend a cut of \$25; Boston Traffic Department, \$1,000.

Chairman SULLIVAN—Give your figures as you want them cut.

Coun. COOK—All right. Building Department, \$10; City Clerk, \$10; City Council, \$20; City Planning Board, \$50; Collecting Department, \$50; Street Laying-Out Department, \$1,000; Weights and Measures, \$200; Institutions Department, \$10; "Stephen O'Meara", \$100; Law Department, \$50; Bridge Service, \$700; Public Works Department, Paving Service, \$300; Public Works Department, Sanitary Service, \$1,300; Public Works Department, Sewer Service, \$800; Registry Department, \$75; Statistics Department, \$10; House of Correction, \$1,000. That is all. Mr. President, and gentlemen of the Council, if you followed these or tried to follow some of the department heads, they have a great, mysterious fund in the C, D and E items called Miscellaneous. That is the great reserve fund they set up. I think in one department they talked about the fact that they had to have scissors, another talked about wrapping paper and twine, or paper cups; but they certainly can give a very glib answer when you ask them what miscellaneous means. I noticed during the hearings that Councillor Bryan tried to get at the bottom of it, but I think he got discouraged after he got the same stock answer from the various department heads. I don't think any department would be hurt in the slightest and the city would be helped if we cut these D-16 items. Mind you, I have left some balances for then in the amounts I have recommended.

Coun. FISH—Mr. President, the brief explanation under the miscellaneous items as to why they could not put them down in the budget as specific items is they would have to put pencils, pens, erasers, about 100 to 150 items, and the expense of printing the budget would be out of proportion. That is what the miscellaneous items are, and it was very clearly explained by the Budget Commissioner.

Chairman SULLIVAN—The question is on Councillor Cook's motion to reduce the D-16 items in the various departments by \$6,710, and the Clerk will call the roll.

The motion was lost, yeas 3, nays 14:

Yeas—Councillors Bayley, Chase, Cook—3.

Nays—Councillors Bryan, Cantwell, Carey, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, McCormack, Moriarty, Muchnick, Russo, Sullivan—14.

Chairman SULLIVAN—Three in the affirmative and fourteen in the negative, and the motion is lost.

Coun. BAYLEY—Mr. President, I move the special appropriation for Bridges Repair be cut \$10,000, from \$200,000 to \$190,000. Mr. President, I am informed the state may help in the construction of the bridges this year, and I think a cut of only 5 per cent will not seriously interfere with the work that will be done, especially if the state is able to help out. I move that that cut of \$10,000 be made.

Chairman SULLIVAN—The question is on Councillor Bayley's motion to reduce the bridge repair item under special appropriations by \$10,000. All those in favor say "aye," those opposed "no," and it is not a vote.

Coun. BAYLEY—Mr. President, I ask for a roll call.

Chairman SULLIVAN—The Clerk will call the roll.

The motion was lost, yeas 8, nays 9:

Yeas—Councillors Bayley, Bryan, Cantwell, Cook, Chase, McCormack, Moriarty, Russo—8.

Nays—Councillors Carey, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, Muchnick, Sullivan—9.

Chairman SULLIVAN—Eight in the affirmative and nine in the negative, and the motion is lost.

Coun. BAYLEY—Mr. President, I move reconsideration on this matter. I don't think this will hurt anybody. I hope they will reconsider because it was a close vote.

Coun. CAREY—Mr. President, I have been a member of this Council for ten years, and I have found over those years that the safety of the people should be given proper consideration in the construction of the bridges throughout the city. The councillor from Ward 5 indicated we might get state assistance. We have been expecting that for many years on many very serious and important matters connected with the city and have got but very little assistance. I for one would not want any cut from any bridge maintenance and construction repair items that might lead to some accident that might cause the loss of one or a dozen lives. I think it is ridiculous to try to save a few pennies in the budget in this way. If we are going to make any attempt to cut down the tax rate, let us have something worthwhile. Let us appoint a committee with a commissioner appointed at the head of that committee, a man capable enough to do it, a civil service employee who fears nobody. But as for cutting into a matter like this, \$10,000, at the risk of a human life, I think it is ridiculous and we should overwhelmingly defeat any such recommendation.

Chairman SULLIVAN—The question comes on reconsideration. All those in favor say "aye"; those opposed, "no." It is not a vote.

Coun. BAYLEY—Mr. President, I move that the Contingent Fund be cut \$10,000, from \$325,000 to \$315,000.

Chairman SULLIVAN—The question is on Councillor Bayley's motion to reduce the Contingent Fund by \$10,000, and the Clerk will call the roll.

The motion was defeated, yeas 3, nays 12:

Yeas—Councillors Bayley, Bryan, Chase—3.

Nays—Councillors Cantwell, Carey, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, McCormack, Moriarty, Russo, Sullivan—12.

Present—Councillors Cook, Muchnick—2.

Chairman SULLIVAN—Three in the affirmative and twelve in the negative, and the motion is lost. Councillor Cook.

Coun. COOK—I have another comprehensive motion on Item E-13 in the various departments, as I shall list them. E-13 is miscellaneous material. I move that E-13 be reduced in the following amounts in the following departments: Traffic Department, \$9,000; Institutions Department, \$25; Steamer "O'Meara," \$50; Steamers "Curley" and "Perkins," \$50; Bridge Services, \$500; Paving Services, Public Works Department, \$1,300; Sewer Services, Public Works Department, \$1,000; Penal Institutions Department, \$25; House of Correction, \$1,000; Public Works, Water Division, \$500. All these items which are the same as the D-13 items are miscellaneous, covering a multitude of sins. In most cases I have left as much, if not twice as much, money as I have recommended be reduced, and I think the reduction in these amounts, which is considerable, will be of benefit to the city and no harm to any of the departments or the city.

Chairman SULLIVAN—The question is on Councillor Cook's motion to reduce E-13 in the various departments, totaling \$3,450, and the clerk will call the roll.

The motion was lost, yeas 3, nays 13:

Yeas—Councillors Bayley, Chase, Cook—3.

Nays—Councillors Bryan, Cantwell, Carey, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, McCormack, Moriarty, Russo, Sullivan—13.

Present—Councillor Muchnick—1.

Chairman SULLIVAN—Three in the affirmative and thirteen in the negative, and the motion is lost.

Coun. COOK—Mr. President, I have a similar motion for Item B-42, which is Miscellaneous Services, and I recommend the following reductions in the following B-42 items in the following departments: City Council, \$6,000; City Planning Board, \$125; Public Works Department, Paving Services, \$5,000; Sewer Services of the Public Works Department, \$200; Department of Veterans Services, \$25; House of Correction, \$500; Law Department, \$10; Lighting Services of the Public Works Department, \$1,000. These items, Mr. Chairman and gentlemen of the Council, are also miscellaneous items called services. Why they do not call them

temporary help or contract work, I don't know. You might be interested in why I recommended \$6,000 in the City Council. I think \$12,000 was appropriated and I think the explanation for it was roping of the streets and putting up flags. In the committee there was not a very full discussion of the matter, and I don't think any of the councilors here who have been here ten years or less to this day know who does this work. I think it can be cut \$6,000 in that item, at a great saving to the city, and so about the other reductions, which in every case leave a balance for the department. I hope the reductions go through.

Chairman SULLIVAN—The question is on Councilor Cook's motion to reduce the B-42 items in the various departments, totaling \$12,860, and the clerk will call the roll.

The motion was lost, yeas 4, nays 13:

Yeas—Councilors Bayley, Carey, Chase, Cook—4.

Nays—Councilors Bryan, Cantwell, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, McCormack, Moriarty, Muchnick, Russo, Sullivan—13.

Chairman SULLIVAN—Four in the affirmative and thirteen in the negative, and the motion is lost.

Coun. COOK—The next series of departments, I have, Mr. President, is the item known as B-28, Expert, and I recommend the following cuts: Park Department, \$500; Police Department, \$500; Sanitary Service of the Public Works Department, \$50; Statistics Department, \$100; House of Correction, \$200; Public Works, Water Division, \$1,000. Mr. President, as you go through these various items for experts, you suddenly discover in every department where the department head is supposed to be an expert, and where the department subordinates under him are supposed to be experts, they always have need for a little item called expert. The Police Department needs an expert to go to defend one of their policemen; he can't use our own Law Department. The Sewer Department needs an expert; they cannot use their own Water Department men who have 40 or 50 years' experience—I will make that 25 years' experience—as an expert. Why they need an expert on Sanitary Service, I don't know. I imagine by now everybody is an expert in the Sanitary Division. It is an item, Mr. President, that could be cut out very nicely, because it is something which is like a little slush fund for each department head to use for somebody who may be very friendly but who does the city no good. I hope these cuts as recommended are passed.

Coun. KINSELLA—Mr. President, I would like to ask Chairman Fish through you if at any time during the consideration of the budgetary items he or anyone else thought to ask the definition of expert. I must admit the gentleman from Ward 12 has me curious. What is an expert in anything?

Chairman SULLIVAN—Councilor Fish, do you care to answer that?

Coun. FISH—I would prefer to have him mention the specific expert he was speaking about.

Coun. COOK—Take the Police Department.

Coun. MORIARTY—If I may unburden Councilor Fish of Councilor Kinsella's question?

Chairman SULLIVAN—Does Councilor Fish yield?

Coun. FISH—I will be glad to yield.

Coun. MORIARTY—I do recall quizzing Mr. Parker of the Planning Board on why he engages outside services. I don't recall his blue book testimony, but I will try to repeat it as I recall it. He said on occasion he has to call in some particular expert to give him information on something he is working on down in his department. To my satisfaction, he was the only one who could give us a satisfactory definition of what expert services were, and so did Dr. Brickley of the mortuary. I believe he did, to my satisfaction, prove the expert he called in was a necessary assistant.

Chairman SULLIVAN—Thank you. The question is on Councilor Cook's motion to reduce the B-28 item in the various departments amounting to \$2,350, and the Clerk will call the roll.

The motion was carried, yeas 11, nays 5:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Hannon, Keenan, Lane, Moriarty, Russo—11.

Nays—Councilors Coffey, Fish, Kinsella, McCormack, Sullivan—5.

Present—Councilor Muchnick—1.

Chairman SULLIVAN—Eleven in the affirmative and five in the negative, and the motion to reduce B-28 in the various departments amounting to \$2,350 is carried.

Coun. BAYLEY—Mr. President, I move that the appropriation for House of Correction, Special Improvements and Repairs, be cut \$5,000. I do this for two reasons: In the first place, it is partly for electrical change-over in the electrical department. There is some question if they are going to use the full \$100,000, but my motion in cutting this down \$5,000—this is under the County Budget—is because I think it is about time we take affirmative action and show Chelsea and Revere that they are going to do their share.

Chairman SULLIVAN—What page in the budget?

Coun. BAYLEY—Page 74 in the white book, under County Departments. Mr. President, I do this mainly as a protest on the ground that it is about time Chelsea, Revere, and Winthrop contributed something to the expenses of which they get the benefit. It is my understanding—in fact, it is my knowledge—we appropriate a budget for the district court of Chelsea, and the fines they get go to Chelsea and not to us. Mr. President, it is my understanding they send their prisoners to Deer Island. It seems to me Revere, Chelsea, and Winthrop should bear their share toward the upkeep. This is a protest to the fact that we have to pay money for something that benefits in a small measure Chelsea, Revere, and Winthrop. I would like to serve notice on Chelsea, Revere, and Winthrop that they should pay part of the upkeep toward Deer Island, and also the upkeep of the courts. I think it is time Boston stopped paying for the benefit of Chelsea, Revere, and Winthrop.

Coun. KINSELLA—For the first time in quite a while I find myself at least partly in agreement with the councilor from Ward 5, but the councilor is an attorney of some note, and I am given to understand he knows all the expenses of Suffolk are saddled on the City of Boston by an act of the Legislature, owned, operated, and controlled, to my knowledge, by the party he represents. While I agree in principle with what he has to say, I won't protest to the extent of \$5,000, because we cannot put that much on Winthrop, Revere, and Chelsea, and the gentleman has known it since he has come in here. This protest of \$5,000 might cause some unfortunate his life, someone who cannot get out when a fire breaks out, and someone incidentally who is not a beast or an animal. The \$5,000 we take off this budget means \$5,000 less safety work. I am not going to contribute to it regardless of what else I contribute. It is ridiculous for a well-informed member of this Body and also a member of the Bar, who has some knowledge of our charter, he knows the evils inherent in the city spring from Beacon Hill for which his party is responsible, to say a \$5,000 cut in the budget is sufficient protest, and everything I have said is fair. It is not personal, it is not acrimonious, nor is it bitter, even if it is straightforward and direct. We have a lot to say in matters for the safety of the less fortunate. Let us keep them safe while they are there. I oppose this as heartily as anything I ever opposed.

Coun. CHASE—Mr. President, on what particular part of the budget is this?

Chairman SULLIVAN—House of Correction, Special Appropriation, Repairs to County.

Coun. CHASE—Mr. President, I move this particular item be reduced by \$10,000. Mr. President, I assume, sir,—

Coun. MUCHNICK—Mr. President, a point of order. We have to vote on \$5,000 before we take up the \$10,000.

Chairman SULLIVAN—Councilor Chase is in order.

Coun. MUCHNICK—What happens to the previous one?

Chairman SULLIVAN—We will come to that.

Coun. CHASE—I don't do this in protest. We are the City Councilors and County Commissioners, and it is our job to make a reduction. I think the \$10,000 is a reasonable reduction in view of the fact that there are probably many contracts to be issued by the awarding authorities, and I assume the executive of the city, who has an iron-hand control over his department heads, will adopt the same policy adopted on all contracts awarded by other department heads—that is, in many instances, not to award to the lowest qualified bidder but to find some special reason for awarding, as the gentleman from East Boston so ably stated, to his cousins or somebody else who has a friendly

relationship with him. The item is \$100,000. I think, Mr. President, that a \$10,000 reduction in that item is reasonable, in view of the fact that it apparently is a blanket item. There is no adequate explanation showing just what the money is to be spent for, where the money is to be spent, and there is no good reason, sir, why that particular county department could not afford a \$10,000 reduction, and I so move.

Chairman SULLIVAN—Thank you, councilor. The question is on Councilor Chase's amendment.

Coun. COFFEY—Mr. President, the gentleman did not understand. I said Councilor Bayley's cousin.

Chairman SULLIVAN—The question is on Councilor Chase's motion to amend Councilor Bayley's motion by \$10,000, and the Clerk will call the roll.

The motion was lost, yeas 3, nays 14:

Yeas—Councilors Bayley, Chase, Cook—3.

Nays—Councilors Bryan, Cantwell, Carey, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, McCormack, Moriarty, Muchnick, Russo, Sullivan—14.

Chairman SULLIVAN—Three in the affirmative and fourteen in the negative, and the motion is lost. The question now comes on Councilor Bayley's motion to reduce the same item by \$5,000, and the Clerk will call the roll.

The motion was not carried, yeas 8, nays 8:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hannon, Keenan, McCormack—8.

Nays—Councilors Carey, Coffey, Fish, Kinsella, Lane, Moriarty, Russo, Sullivan—8.

Present—Councilor Muchnick—1.

Chairman SULLIVAN—Eight in the affirmative and eight in the negative, and the motion is not carried. Councilor Cook.

Coun. BAYLEY—I move reconsideration.

Chairman SULLIVAN—Councilor Cook.

Coun. COOK—I move that B-28 in the Board of Real Estate Commissioners, which is for Expert, be reduced by \$2,000. Mr. President, the chairman of the board asked for \$3,000. He said last year he used him because, as he said, we are apt to be called on to have some plans drawn. We have that from time to time. There is no one at the present time, but there has been when agents handled buildings for the city and it was necessary to check over those accounts. I don't know what he was talking about on that basis. I think the reduction is in line with the other reductions for experts, and the \$2,000 in the Board of Real Estate Examiners is a good reduction.

Chairman SULLIVAN—Councilor, is that the Board of Real Estate Commissioners or the Board of Examiners?

Coun. COOK—The Board of Real Estate Commissioners.

Chairman SULLIVAN—Irving Lewis?

Coun. COOK—That is right, the Board of Real Estate Commissioners. I don't think his department will be hurt. In 1946 he said he spent \$2,815 out of \$3,000. If we give him \$3,000 this year, he will spend \$3,000, and if we give him \$1,000, that is about all he will spend, and he will have to look for a place to spend it, so, therefore, I think the recommendation of a cut of \$2,000 in that department in B-28 is a good one.

Chairman SULLIVAN—The question is on Councilor Cook's motion to reduce B-28 in the budget of the Board of Real Estate Commissioners by \$2,000, and the Clerk will call the roll.

The motion was carried, yeas 9, nays 7:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Hannon, Keenan, Moriarty, Muchnick—9.

Nays—Councilors Coffey, Fish, Kinsella, Lane, McCormack, Russo, Sullivan—7.

Chairman SULLIVAN—Nine in the affirmative and seven in the negative, and the motion is carried.

Coun. COOK—Mr. President, there is a very small item I wish to call to the attention of the Council, by moving a recommended cut in the House of Correction in Department F-12. I recommend \$100 be cut. May I have order?

Chairman SULLIVAN—The Council will be in order. The Chair will ask the councilor to repeat his motion.

Coun. COOK—I recommend the Item F-12 in the House of Correction budget be reduced by the sum of \$100. The item is listed in City Document 38 under special items known as gratuities which I think is even worse than incidentals. In this case, I think the explanation was that some of the men who leave the House of Correction are broke, and somebody in the

House of Correction gives them money. No questions were asked as to whether receipts were taken and as to who gave the money, how it was accounted for, or anything of that nature and, certainly, the City Council should be no party to allowing any department head to have a reserve fund or appropriation which they can give out as gratuities. That is a function of the Public Welfare Department or some other department that does a little investigation. I don't see why the officials down at the House of Correction should be known as such good fellows at the expense of the city. I think the cut even though small is one that should be had.

Chairman SULLIVAN—The question is on Councilor Cook's motion to reduce F-12 by \$100, House of Correction, and the Clerk will call the roll.

The motion was lost, yeas 3, nays 13:

Yeas—Councilors Bayley, Chase, Cook—3.

Nays—Councilors Bryan, Cantwell, Carey, Coffey, Fish, Hannon, Keenan, Kinsella, Lane, McCormack, Moriarty, Russo, Sullivan—13.

Present—Councilor Muchnick—1.

Chairman SULLIVAN—Three in the affirmative and thirteen in the negative, and the motion is lost.

Coun. FISH—In view of the fact that I understand that we have ten more minutes of discussion.

Chairman SULLIVAN—Twelve minutes.

Coun. FISH—Item 2 on the Calendar is part of the budget, as I understand from no less authority than the City Clerk. Let us vote on that so that when we vote on the entire budget, that will be incorporated in it. If it is in order, I now move we take a vote on No. 2 on the Calendar. We have already passed it in committee.

Coun. COOK—Mr. President, a point of order.

Chairman SULLIVAN—The question is on taking from the table the recommendation of increasing the budget as recorded and recommended in item No. 2 on the Calendar.

Coun. HANNON—Mr. President, I don't think that is part of the budget. I have the highest respect in the world for the City Clerk, but as I understand it, the budget has to be submitted the first Monday in February, and I don't think this was submitted. I feel it will have to be acted on in due course, but I don't think it is any part of the budget.

Chairman SULLIVAN—It becomes part of the budget when we act on it.

Coun. HANNON—I think this motion is out of order, Mr. President. We are acting on the budget, and if this is not part of the budget, then I think it is out of order to include it in the budget.

Chairman SULLIVAN—When we take it, councilor, from the table, and the motion is to take it from the table, calling it up, it becomes part of the budget.

Coun. HANNON—I think the proper procedure is to adopt the budget.

Chairman SULLIVAN—If the Council so desires, it can act on it now or after the budget.

Coun. HANNON—I would like a ruling on the point of order. The Chair has already determined it is not part of the budget. If it is not part of the budget, then I don't think it has any business being considered with the budget until the budget is passed. The budget has to be submitted by the first Monday of February, and must be accepted or acted on by the first Monday in April. This was not submitted by the first Monday in February. I am perfectly willing to go along, but I think we should give consideration to each and every item here.

Chairman SULLIVAN—Councilor Fish, do you wish to withdraw the motion?

Coun. FISH—I would like to clarify the situation as far as I am concerned. It is an item to increase the budget as submitted. I take it literally as it is written. If this is not acted on today, either before the vote on the budget or after, if it is not acted on by April 7, it becomes just a lot of words, or do we have an opportunity later to pass on it?

Chairman SULLIVAN—Twelve o'clock is the final hour.

Coun. CHASE—Mr. President.

Chairman SULLIVAN—Councilor Fish has the floor.

Coun. KEENAN—Mr. President, a point of information.

Coun. FISH—If the ruling is today is the last date to act on that item, I move it be taken from the table and acted on.

Coun. HANNON—A point of order.

Coun. CHASE—Mr. President.

Coun. KEENAN—A point of order.

Chairman SULLIVAN—Councillor Fish is in order. It is a recommendation and has to do with the budget, and Councillor Fish's motion is in order.

Coun. HANNON—A point of order.

Chairman SULLIVAN—State your point of order.

Coun. HANNON—The budget was a certain document submitted to us in keeping with the charter specifications by the first Monday of February. Any item of recommendation submitted to us after that is not part of the budget as such. The budget was considered at hearings, and any items recommended after that have not been considered as part of the budget. The Chair has already ruled it is not part of the budget. If it is not part of the budget, it should not be acted upon now, and I disagree with the City Clerk that it does become operative automatically after midnight.

Chairman SULLIVAN—Councillor, the Chair will rule this is a recommendation of the Mayor following items in the budget as submitted, asking for increases and amending the budget as he sent it in originally and these items are part and parcel of the budget when we act on it. Then the Council can take them up individually and ask that they be reduced after we take this from the table and make it a part of the budget.

Coun. HANNON—My point of order is that we proceed with No. 1 and dispose of it, and then we can adopt or reject No. 2. They are distinct and separate items.

Chairman SULLIVAN—It is perfectly legal to do it either way. If the councillor is pressing his motion, it is in order at this time.

Coun. KINSELLA—Mr. President, a point of order.

Chairman SULLIVAN—State your point of order, councillor.

Coun. FISH—I can clear the situation. Would you yield?

Coun. KINSELLA—Yes.

Coun. FISH—If we can act on this after the budget, which I don't think we can, I will withdraw my motion.

Chairman SULLIVAN—The motion is withdrawn. Councillor Kinsella.

Coun. KINSELLA—According to the language in this which is a public document, we cannot increase the budget.

Chairman SULLIVAN—We can on recommendation of the Mayor, councillor.

Coun. KINSELLA—That would be making it a part of the document known as the appropriation order. A further point of order, Mr. President.

Chairman SULLIVAN—State your point of order.

Coun. KINSELLA—Are we to be permitted to examine into the necessity of the increases, C-16, D-39, A-1, and so forth?

Chairman SULLIVAN—It was submitted to the Council on March 24 and was referred to the Committee on Appropriations which properly acted on it, and referred it back to the Council on March 31.

Coun. KINSELLA—As items apart from the original document?

Chairman SULLIVAN—In addition to the original document.

Coun. KINSELLA—A point of information. Will the City Clerk, through you, tell me if there will be a supplementary budget following this?

Chairman SULLIVAN—There may be, councillor.

Coun. KINSELLA—A further point of information, if I may have it. Would this item or this public document known as Item No. 2 be more properly embraced in the supplemental budget because of the Council's lack of information about the item?

Chairman SULLIVAN—The Mayor can submit appropriations up until the time the tax rate is declared.

Coun. KINSELLA—A final point of information. Does that also account for Items 3 and 4, or are we to interpret those in the same way?

Chairman SULLIVAN—Items 3 and 4 do not have to be acted on today, councillor.

Coun. KEENAN—Mr. President, a point of information.

Chairman SULLIVAN—State your point of information.

Coun. KEENAN—On No. 2 on the Calendar, if that is not acted on tonight, does it technically go into effect at 12 o'clock and be added on to the tax rate?

Chairman SULLIVAN—The Chair will rule it does not. The Chair will announce it is two minutes before the final vote is taken.

Coun. FISH—Mr. President, do I understand this can be submitted at a later date before the tax rate is set?

Chairman SULLIVAN—That is right.

Coun. COFFEY—Mr. President, I move the budget be passed as amended.

Chairman SULLIVAN—Councillor Coffey moves the budget be passed as amended, and the Clerk will call the roll.

The budget as amended was passed, yeas 15, nays 2:

Yeas—Councillors Bryan, Cantwell, Carey, Coffey, Cook, Fish, Hannon, Keenan, Kinsella, Lane, McCormack, Moriarty, Mucnick, Russo, Sullivan—15.

Nays—Councillors Bayley, Chase—2.

Chairman SULLIVAN—Fifteen in the affirmative and two in the negative, and the budget is passed. What is the pleasure of the Council on No. 2?

Coun. KEENAN—Mr. President, I make a motion we lay it on the table for a week.

Chairman SULLIVAN—Councillor Keenan moves that item No. 2 on the Calendar be laid on the table for a week.

No. 2 on the Calendar was as follows:

2. Recommendation by Mayor to increase following items in budget as submitted: Fire Department, C-16, \$69,000; Institutions Department, Steamer "O'Meara," B-39, \$6,000; Registry of Deeds, A-1, \$12,000. Total, \$87,000.

Coun. HANNON—Mr. President.

Coun. RUSSO—Mr. President.

Chairman SULLIVAN—The Chair will have to rule that motion out of order. The only action the Council can take now is to reject No. 2 or pass it.

Coun. HANNON—Mr. President, I move we adjourn.

Chairman SULLIVAN—Councillor Hannon moves we now adjourn. All those in favor say "aye," those opposed, "no." It is not a vote.

Coun. HANNON—I doubt the vote.

Chairman SULLIVAN—Councillor Hannon doubts the vote. Are there sufficient members joining?

Coun. HANNON—May I withdraw?

Chairman SULLIVAN—Councillor Hannon withdraws his motion.

Coun. HANNON—I will withhold it.

Coun. MUCHNICK—A point of order. Do I understand if we do not act now on No. 2 it automatically gets passed?

Chairman SULLIVAN—The Chair has already ruled, councillor, that he believes it does not become part of the budget.

Later in the session Coun. RUSSO said:

Mr. President, I wonder if I am in order to take Items 2, 3 and 4, from the table for the purpose of sending them to the Executive Committee so that we may have the various department heads before us to be interrogated?

Chairman SULLIVAN—Councillor, the Chair will rule Item No. 2 was ruled out unless passed by the Council. It becomes a dead issue after tonight's meeting. Nos. 3 and 4 can be taken and referred to the Executive Committee.

Coun. RUSSO—I so move.

Nos. 3 and 4 on the Calendar were as follows:

3. Order to appropriate \$14,500 for jail improvements.

4. Order to appropriate \$60,000 from income of Cemetery Fund for Park Department, Cemetery Division.

Chairman SULLIVAN—Councillor Russo moves Items 3 and 4 be referred to the Executive Committee. All those in favor, say "aye," those opposed, "no." It is ordered.

Coun. LINEHAN—I ask unanimous consent to be recorded for the budget as amended.

Chairman SULLIVAN—Councillor Linehan asks to be recorded on the budget, voting to pass it as amended, and, if there is no objection, he will be so recorded.

DISCONTINUANCE OF SITE FOR
DUMPING, WARD 11.

Coun. MORIARTY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to discontinue as a site for dumping refuse and sweepings the corner of Columbus avenue and Ritchie street, Ward 11, Roxbury.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of George W. Girvan (referred March 24), to be reimbursed for amount of execution issued against him on account of his acts as operator of patrol wagon belonging to Police Department—recommending passage of the accompanying order:

Ordered, That the sum of two hundred sixty-two dollars and eighty-seven cents (\$262.87) be allowed and paid to George W. Girvan in reimbursement for amount of execution issued against him on account of his acts as operator of a patrol wagon belonging to the Police Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

Report on petition of Patrick G. Howell (referred March 24) 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 the accompanying order:

Ordered; That the sum of one thousand three hundred fifty-five dollars (\$1,355) be allowed and paid to Patrick G. Howell 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.

SOUTH BOSTON MUNICIPAL BUILDING
IMPROVEMENTS.

Coun. LINEHAN and SCANNELL offered the following:

Ordered, That his Honor the Mayor request the Commissioner of Public Buildings to provide for the following improvements in the South Boston Municipal Building Bath Department: Install and repair plumbing for showers and lavatories; install new flooring in all shower sections; repair bubblers; repair electric fans; paint the walls and ceilings.

Passed under suspension of the rules.

Adjourned, on motion of Councilor Bryan, at 10.37 p. m., to meet on Monday, April 14, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 14, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilor Kinsella.

The meeting was opened with the salute to the flag.

LICENSES FOR DRIVEWAY OPENINGS.

The following was received:

City of Boston,
Office of the Mayor, April 8, 1947.

To the City Council.

Gentlemen,—For some time the validity of the ordinance adopted in 1938, giving to the City Council the right to grant licenses for driveway openings, has been open to question.

In order to determine whether or not the authority given to your Body in 1938 can continue to be exercised, I requested the Corporation Counsel on March 19 of this year for an opinion concerning this ordinance. I transmit herewith the opinion rendered on this matter by the acting Corporation Counsel.

You will note that the opinion concludes that the ordinance in question is invalid. In view of this opinion it would seem that the ordinance should be repealed by your Body, and I so recommend. Licenses for driveway openings will be granted from this time forward by the Commissioner of Public Works.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Law Department, April 2, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—On March 19 you requested an opinion " . . . with reference to the right of the City Council to pass on driveway openings." That right, if it exists, rests on chapter 4 of the Ordinances of 1938, which reads 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 parcel or two or more contiguous parcels of land owned or occupied by one person, firm or corporation be used for driveways.*" (Emphasis supplied.)

I assume for the purposes of this opinion that the construction of driveways or openings is subject to reasonable regulations in the public interest, with due regard both to the rights of travelers on the highway, and to rights of access which the common law gives to owners of land abutting on highways. I assume also that such reasonable regulation may be accomplished by the requirement of permits.

The particular question now raised is whether the power to grant or refuse such permits may, in the absence of express statutory authorization, be placed in the City Council. Normally the grant or refusal of a permit is executive, not legislative, business. It involves individual consideration and treatment of each particular case as it arises, not the establishment of general rules. From this point of view permits for driveway openings do not differ from other types of permits issued by the Public Works Department, and in fact the very permits here in question were customarily obtained from that department prior to the passage of chapter 4 of the Ordinances of 1939.

I conclude, therefore, that the Ordinance of 1938 is invalid to the extent that it confers upon the City Council power to grant permits. The exercise of such a power is " . . . executive or administrative business . . ." and is denied the Council by section 8 of the Charter, St. 1909, c. 486:

"Neither the city council, nor any member or committee, officer or employee thereof shall . . . directly or indirectly on behalf of the city . . . take part . . . in the conduct of the executive or administrative business of the city . . ."

Yours very truly,
JAMES W. KELLEHER,
Acting Corporation Counsel.

President KELLY—Placed on file.

Coun. LINEHAN—Mr. President.

President KELLY—For what purpose does the gentleman arise, Councilor Linehan?

Coun. LINEHAN—At this time, may I speak on this matter?

President KELLY—The Chair will refer it to the Executive Committee if the Council so desires. Councilor Linehan moves this —

Coun. LINEHAN—I don't make any motion on it, Mr. President.

President KELLY—The Chair will refer it to the Committee on Ordinances.

ERECTION OF FENCE BY NEW HAVEN RAILROAD.

The following was received:

City of Boston,
Office of the Mayor, April 11, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from Corporation Counsel, relative to your order of March 24, 1947, requesting the Law Department to confer with the New York, New Haven & Hartford Railroad, concerning the erection of a fence along the Midland Division of the New Haven Railroad, particularly in the vicinity of Uphams Corner.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Law Department, April 9, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—On March 31, 1947, you transmitted to me the following order passed by the City Council on March 24, 1947:

"Ordered, That his Honor the Mayor be requested to direct the Law Department to confer with the New York, New Haven & Hartford Railroad and the Department of Public Utilities relative to the erection of a fence along the Midland Division of the New Haven Railroad, particularly in the vicinity of Uphams Corner Station."

Shortly after the receipt of your communication this department wrote Edmund J. Moore, Esq., counsel and attorney for the New York, New Haven & Hartford Railroad Company, concerning the matter. We are today in receipt of a reply that the persons in charge of the railroad's local operations have already sent forward a request for authority to erect chain link fences in the area mentioned in the City Council's order. Mr. Moore's letter states: "If the expenditure is approved by the Trustees—and such approval is anticipated—the work of installation will begin in the very near future."

Under the circumstances, no further action by this department at the present time would appear to be warranted.

Yours very truly,
JOSEPH SCOLPONETTI,
Corporation Counsel.

Placed on file.

TRAFFIC LIGHTS IN VICINITY OF EDWARD EVERETT SQUARE.

The following was received:

City of Boston,
Office of the Mayor, April 8, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, rela-

tive to your order of March 31, 1947, concerning the installation of traffic lights in the vicinity of Edward Everett square and Massachusetts avenue.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
April 7, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works make a survey and install traffic lights in the vicinity of Edward Everett square and Massachusetts avenue, and also to install many more electric street lights in order that the surrounding area at Edward Everett square may be adequately lighted so that accidents both to motorists and pedestrians may be diminished, and this will advise you that the Lighting Service of the Public Works Department will have a survey made of this area with a view to improving existing conditions.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

IMPROVEMENTS ON CHRISTOPHER J. LEE PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, April 3, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the chairman of the Park Department, relative to your order of March 24, 1947, concerning the resodding of the Christopher J. Lee Playground, and the placing in condition of the baseball diamond for the opening of the baseball season.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, April 2, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of March 31, with enclosure, order from the City Council requesting the Park Commission to resod the Christopher J. Lee Playground and to place a baseball diamond in first-class condition for the opening of the baseball season.

I regret to inform you I cannot sod this area; furthermore, we never did sod it. I am having the grounds carefully raked and graded, the pitchers' box built up and the entire area will be rolled and marked. It would be useless to try and sod this area as it would mean tying up the playground for at least six weeks. Furthermore, the ash deposit from the Edison Company would kill off what the boys would destroy in a very short period of time.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,
Office of the Mayor, April 14, 1947.

To the City Council.

Gentlemen,—Subject to confirmation by your Honorable Body, I hereby appoint the persons whose names appear on the attached list, constables of the City of Boston for the term of one year, beginning with the first day of May, 1947, authorized to serve civil process upon filing bond.

The commissions of constables authorized to serve civil process not named herein expire on April 30, 1947, and such constables are hereby removed from office from and after May 1, 1947, for the good of the service.

Respectfully,
JAMES M. CURLEY, Mayor.

Constables Authorized to Serve Civil Process
upon Filing Bonds.

Henry Atwood, 28 Melbourne street, Ward 16;
Samuel C. Baker, 25A Wabon street, Ward 12;

William J. Baker, 1092 Tremont street, Ward 9;
Alfred Blaustein, 23 Fernboro street, Ward 14;
Thomas F. Brett, 15 Malta street, Ward 18;
George W. Brooker, 258 Park street, Ward 20;
James A. Canton, 169 Glenway street, Ward 14;
Sidney Cohen, 70 American Legion Highway, Ward 14;
John M. Crawford, 27 Washington street, Ward 2;
Henry G. Dahlquist, 1743 Dorchester avenue, Ward 16;
Americo Desimone, 1130 Saratoga street, Ward 1;
James E. Desmond, 7 Mapleton street, Ward 22;
Walter A. Donlan, 1472 Centre street, Ward 20;
Patrick J. Donovan, 35 Lorette street, Ward 20;
Wilfred Gerber, 9 Courtland road, Ward 14;
Lewis Gilbert, 627 Walk Hill street, Ward 14;
Roland W. Golden, 38 Regent street, Ward 12;
Samuel Goldkrand, 100 Homestead street, Ward 12;
Meyer Goldstein, 27 Long avenue, Ward 21;
Salvatore Grassa, 11 Copeland street, Ward 12;
Henry J. Gurl, 183 Huntington avenue, Ward 4;
Abraham M. Hecht, 3 Morse street, Ward 14;
Max Kaplan, 55 North Russell street, Ward 3;
Bernie King, 492 Harvard street, Ward 14;
Arnold Klevens, 165 Ruthven street, Ward 12;
Bronis Kontrim, 120 Marine road, Ward 7;
Mark H. Krafur, 447 Norfolk street, Ward 14;
Nathan Kravitsky, 306 Washington street, Ward 14;
Louis Levendorf, 421 Warren street, Ward 12;
Maurice Levine, 40 Wolcott street, Ward 14;
Anthony Luongo, 855 Saratoga street, Ward 1;
Salvatore Maffei, 11 Orient avenue, Ward 1;
Isie Martin, 12 Ashton street, Ward 14;
Frank P. McCormick, 883 Washington street, Ward 17;
Norman M. Menzies, Jr., 17 New street, Ward 1;
William P. Miles, 78 Warren street, Ward 12;
Frank A. Mitchell, 7 Bruce street, Ward 16;
Bernard M. Mullen, 4 Neptune road, Ward 1;
Frank J. Macchia, 770 East Fourth street, Ward 6;
Michael W. Ober, 48 Ballou avenue, Ward 14;
Bert Oppenheim, 9 Egremont road, Ward 21;
Louis H. Oppenheim, 7 Mt. Hood road, Ward 21;
Hector Palladino, 7 Garden Court street, Ward 3;
Philip S. Phillips, 829 Blue Hill avenue, Ward 14;
George N. Pierce, 15 Atherton street, Ward 11;
Louis Richmond, 111 Wambeck street, Ward 12;
Thomas J. Riley, 17 Mount Vernon street, Ward 2;
Edward J. Rockett, 15 Worcester square, Ward 8;
William T. Ross, 4 Abbotford street, Ward 12;
Jacob E. Schrank, 227 Harvard avenue, Ward 21;
Joseph P. Schrank, 227 Harvard avenue, Ward 21;
Frank Shaw, 12 Codman street, Ward 17;
Sidney Sheinfeld, 166 Rosseter street, Ward 14;
Isaac Shulman, 128 Devon street, Ward 14;
Joseph L. Shurtleff, 39 Union Park street, Ward 8;
Joseph Sinansky, 77 Nightingale street, Ward 14;
Francis A. Slater, 21 Gardner street, Ward 21;
Henry J. D. Small, 14 Windermere road, Ward 13;
Leon Small, 294 Seaver street, Ward 12;
Clifford L. Smith, 56 Edison green, Ward 13;
Paolo Stancato, 147 Chambers street, Ward 3;
James F. Sullivan, 49 Dale street, Ward 12;
Jerome Suvall, 19 Owen street, Ward 18;
Benjamin J. Tackoff, 52 Columbia road, Ward 14;
William Tatel, 172 Seaver street, Ward 12;
Joseph Todisco, 149 Paris street, Ward 1;
Joseph M. Torr, 67 Worcester street, Ward 9;
Rudolph L. Trent, 34 Highland street, Ward 9;
Roman J. Vasil, 11 Granada avenue, Ward 18;
David Weir, 259 Beacon street, Ward 5;
Sidney Williams, 7 Greenville street, Ward 12;
Charles A. Wood, 648 East Sixth street, Ward 6;
Morris Youman, 5 Pana Gardens, Ward 22.

CONSTABLES CONNECTED WITH OFFICIAL POSITIONS.

The following was received:

City of Boston,
Office of the Mayor, April 14, 1947.

To the City Council.

Gentlemen,—I hereby appoint the persons whose names appear on the attached list, constables of the City of Boston, to serve without bond and without authority to serve civil process for the term ending April 30, 1948. The appointments are made subject to confirmation of your Honorable Body.

All such constables heretofore appointed and not named herein are hereby removed from office for the good of the service on and after May 6, 1947.

Respectfully,
JAMES M. CURLEY, Mayor.

Constables Connected with Official Positions.

James Amato, 10 Bullfinch place, Ward 3;
 Martin A. Brennan, 62 Quint avenue, Ward 21;
 William Campbell, 11 Olney street, Ward 15;
 Charles C. Cantwell, 4 Violante street, Ward 18;
 Joseph C. Coffey, 451 Meridian street, Ward 1;
 Edward F. Collins, 330 Hyde Park avenue, Ward 19;
 John P. Cronin, 33 Brackett street, Ward 22;
 Jeremiah A. Daley, 14 Concord street, Ward 2;
 Sabino D'Alto, 115 Princeton street, Ward 1;
 Daniel J. Daly, 15 Norfolk street, Ward 9; James W. Daly, 46 Stanton street, Ward 17; Dellaria Vito, 185 Havre street, Ward 1; George A. Douglas, 1387 Commonwealth avenue, Ward 21; Joseph L. Duffley, 30 Algonquin street, Ward 17; James E. Finigan, 10 Burr street, Ward 19; George W. Fitzgerald, 200 Weld street, Ward 20; Cornelius T. Fitzpatrick, 17 King street, Ward 16; Owen P. Flynn, 5 Henry Sterling square, Ward 6; Walter Flynn, 1156 Commonwealth avenue, Ward 21; Thomas H. Glynn, 15 Harvard terrace, Ward 21; Leo G. Grappocio, 47 Auburn street, Ward 3; Charles B. Gray, 14 Pleasant Hill avenue, Ward 17; Murray Harris, 11 Kingsdale street, Ward 14; Daniel E. Hurley, 61 Magazine street, Ward 8; Joel T. Izzo, 73 Allen street, Ward 3; Dennis J. Keefe, 30 Hemenway street, Ward 4; James J. Kenney, 1634 Tremont street, Ward 10; Carl J. Kohlus, 1463 Centre street, Ward 20; Louis J. Lanata, 44 Rexford street, Ward 18; Robert J. Lawler, 24 Halifax street, Ward 19; Raymond M. Lindsay, 197 Kelton street, Ward 21; Lawrence Linehan, 5 Peterborough street, Ward 5; Joseph A. Locke, 133 Thornton street, Ward 11; Lloyd J. MacLean, 142 West street, Ward 18; Walter F. Maguire, 104 Winthrop street, Ward 8; Fred H. Matthews, 18 Iffley road, Ward 11; Bernard J. McCabe, 52 Woodard road, Ward 20; Aloysius McGarry, 1069 Boylston street, Ward 5; Edwin McGowan, 51 M street, Ward 6; Charles J. McGrath, 46 Columbia road, Ward 14; Antonio M. Mele, 40 Staniford street, Ward 3; James J. Murphy, 7 Myrtle place, Ward 12; Walter A. Murphy, 9 Summer street, Ward 20; Edward H. Nelligan, 1721 Commonwealth avenue, Ward 21; George A. Nelson, 224 Bunker Hill street, Ward 2; John F. O'Brien, 1156 Commonwealth avenue, Ward 21; John T. O'Brien, 11 Estrella street, Ward 10; David L. O'Connor, 1617 Tremont street, Ward 10; Louis Repucci, 282 North street, Ward 3; Peter J. Salem, 1 Ringgold street, Ward 3; Alfred Santosuosso, Jr., 33 Thatcher street, Ward 18; Timothy F. Scannell, 272 West Third street, Ward 6; Frederick A. Sullivan, 36 Raven street, Ward 13; William P. Sullivan, 12 Bothwell road, Ward 22; Louis Taylor, 38 Intervale street, Ward 12; John Walter Toole, 34 Rodman street, Ward 19; Francis A. Winnett, 296 Bunker Hill street, Ward 2.

Supervisor of Licensed Minors.

Timothy F. Regan, 4A Weld street, Ward 11.

With Animal Rescue League.

Archibald MacDonald, 710 East Sixth street, Ward 6.

With Massachusetts S. P. C. A.

Harry L. Allen, 180 Longwood avenue, Ward 4.

Van Drivers Appointed by the Court.

Raymond F. Green, 496 Massachusetts avenue, Ward 9; Charles M. Shea, 15 Fenwood road, Ward 10.

APPOINTMENT OF MINOR OFFICERS PAID BY FEES.

The following was received:

City of Boston,
 Office of the Mayor, April 14, 1947.

To the City Council.
 Gentlemen,—Subject to confirmation by your Honorable Body, I make the following appointments of minor officers paid by fees for the term of one year beginning with the first day of May, 1947. The appointments of all such officers not named herein are hereby revoked from and after April 30, 1947.

Respectfully,
 JAMES M. CURLEY, Mayor.

(Annexed was a list as contained in City Document No. 44, 1947.)

APPROPRIATION FROM PARKMAN FUND.

The following was received:

City of Boston,
 Office of the Mayor, April 14, 1947.
 To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners requesting the appropriation of \$48,000 from the income of the George F. Parkman Fund, to be expended under the direction of the Board of Park Commissioners for the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887.

The 1947 budget estimates of the personal service requirements of the Park Department included an estimate of the total income of \$180,000 from the Parkman Fund. The budget allowances made provision for the appropriation of this income as it accrued for the purpose of defraying the cost of work actually performed on the Common and Parks in Existence on January 12, 1887.

I submit herewith an order appropriating the sum of \$48,000, the accrued income now available from the Parkman Fund, and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Park Department, April 11, 1947.
 Hon. James M. Curley,
 Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners, you are respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$48,000 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..... \$48,000

When making up the budget estimates for the year 1947, 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 1947, 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 \$48,000 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..... \$48,000
 Referred to Committee on Parkman Fund.

ADDITIONAL APPROPRIATION FOR TRAFFIC SIGNALS.

The following was received:

City of Boston,
 Office of the Mayor, April 14, 1947.
 To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Traffic Commissioner requesting an additional appropriation of \$10,000 in order to complete the program of installing traffic signals at nineteen intersections in various sections of the city.

In compliance with this request I am forwarding herewith an order appropriating the sum of \$10,000 from the Special Account—Sales of City Property, and recommend passage by your Honorable Body.

Respectfully,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Traffic Commission, March 26, 1947.
 Hon. James M. Curley,
 Mayor of Boston.

My dear Mr. Mayor,—This department is engaged in a program of installing traffic signals

at nineteen (19) intersections in various sections of the city.

The cost of these signals is chargeable to the non-revenue appropriation "Automatic Control Signals in various sections of the City."

Because of the greatly increased costs of equipment and materials and because two (2) additional locations have been added to the seventeen (17) originally contemplated, it is necessary to supplement this appropriation in the amount of \$10,000 in order to complete the program.

I respectfully request that \$10,000 be transferred to this appropriation from available sources.

Respectfully,

PHILIP T. DESMOND,
Acting Traffic Commissioner.

Ordered, That under the provisions of section 63 of chapter 44 of the General Laws the sum of ten thousand dollars (\$10,000) be, and the same hereby is, appropriated from the Special Account—Sales of City Property, to be expended under the direction of the Traffic Commissioner as follows:

Automatic traffic control signals in various sections of the city..... \$10,000
Referred to Executive Committee.

FINANCE COMMISSION REPORT ON ABATEMENTS AND REFUSE COLLECTION.

The following was received:

City of Boston,

Finance Commission, April 9, 1947.

Hon. James M. Curley,

Mayor of Boston.

Honorable Sir,—The Finance Commission offers herewith a reply, which you requested, to criticism made by you of two chapters in the Commission's most recent annual report to the Legislature. These chapters related to the work of the Board of Assessors in 1946 and to the varying contentions of the Public Works Commissioner in regard to the disposal of refuse in Boston.

Because the claims of both the Assessors and the Public Works Commissioner were misleading and confusing, the Finance Commission deems it necessary to make this reply.

In regard to the valuation of property in Boston, except for a brief statement at the end concerning the 1946 decisions by the State Appellate Tax Board affecting Boston properties, the entire discussion by this Commission related to the acts of the Board of Assessors in 1946, i.e., the action taken by the Board of Assessors in cases which were pending in 1946 before the Appellate Tax Board; and the action taken by the Board of Assessors in its late-in-the-year revisions of the valuations set by the Board in June of 1946.

The reason for this accounting of the Board's 1946 acts was twofold: first, the record revealed that the degree of generosity to the property owners by the 1946 Assessors in award of abatements of valuations which had been fixed by previous assessors was amazingly in conflict with the policy of the Board in its determination of valuations in the June 1946 tax rate computations; secondly, the record revealed that the determination of values by the Board in June was strikingly reversed later by the Board itself, "almost before the ink was dry" on the original determination of valuations.

In other words, the 1946 Assessors—admittedly alarmed at what might be the decisions of the Appellate Tax Board on applications then before them for abatement of valuations fixed in 1941 to 1945—caused a large volume of cases to be withdrawn from the Appellate Tax Board by offering unusually generous settlements without trial; the Board has claimed that its policy resulted in 6,211 appeals having been thus withdrawn; but then, despite this acknowledgment that valuations through the years preceding had been set too high, the Board increased valuations on the highest valued commercial property in order that a tax rate of \$42 might be declared which was 50 cents less than the year before. Nevertheless after the \$42 rate was declared, the Board began the process of reducing these newly fixed valuations.

Thus, the \$42 tax rate in 1946 was obtained by increasing the total valuations approximately

\$57,000,000 above the 1945 total, but before the end of the fiscal year the major part of this increase was eliminated by abatements. This revision process has continued to the present time and the latest figures available (to March 18) reveal that approximately \$52,000,000 of June 1946 valuations have already been abated. This total of valuation has been erased by the same Board which only a few months before placed that valuation on the books without compulsion of the Appellate Tax Board. It means that had the 1946 valuations been fixed at tax rate declaration time as they have been revised to March 18, the 1946 tax rate would have been approximately \$44 instead of the \$42 rate declared.

The Commission has re-examined the details of the decisions of the Assessors before and after the tax rate was declared. Such re-examination has tended to make more emphatic the realization that in fixing valuations, the Assessors in 1946 thought more in terms of fixing a lower tax rate than in making a proper valuation of property.

It is well known that the practice of fixing valuation at excessive heights to permit computation of the lowest possible rate did not begin in 1946. Repeatedly, for several years past, the Finance Commission has exposed this deception; nevertheless, 1946 was a year in which the ups and downs of the valuation figures were almost beyond understanding in any ordinary review of the record.

The cost of this artifice to the city itself is substantial. The city must not only refund the tax money represented in the abatement, but it must pay interest of 4 per cent on the amount refunded, the interest period being the length of time between the payment of the tax bill and the subsequent abatement. However, this is not the whole cost to the city. To it must be added the time paid for by the city in fees to experts, and in salaries to employees of the Law Department and the Assessing Department in arranging for these refunds. When there is added the expense of similar nature in contesting appeals to the State Appellate Tax Board, the total city cost reaches well into the hundreds of thousands of dollars year after year.

Furthermore, there is a heavy cost to the individual owners of property involved in these cases. They must pay for services of lawyers and others to represent them before the Assessors and the Appellate Tax Board. The total of such costs is difficult to establish, because there is no public record of it and owners who have obtained abatements are reluctant to tell whom and how much they paid to obtain the abatements. Nevertheless, it can be assumed that the city and the individual property owners pay out every year a vast sum of money because the Assessors are motivated more by a desire to reach an acceptable tax rate than by an intention to place a fair taxable valuation on all property.

The figures used by the Finance Commission in its previous report and in this new statement were obtained (1) from the official record of abatements granted by the Board of Assessors as furnished by that department to the Finance Commission, (2) by examination of figures compiled in the office of the City Auditor concerning abatements granted, and (3) from figures recorded in the office of the Appellate Tax Board.

Re-examination of these figures and the statements made in connection therewith reveals no reason for retraction or change of any of them. The statement furnished you by the Assessing Department in reply to the Finance Commission was intended apparently to impeach the accuracy of the Finance Commission's observations. It imputes to the Finance Commission statements the Commission did not make. In one important particular it offers in defense a claim which is not borne out by their own record. The Commission insists that the figures used in its report are the figures of the official record. Since the Commission's report further abatements have added support to the Commission's contentions.

In its analysis of the 1946 tax rate in July, the Finance Commission, commenting on the fifty-seven million dollar increase in the total valuation, declared that time would tell whether or not that increase was justifiable. With the total of that valuation already reduced \$52,000,000, it is now evident that it was not good judgment. It is quite likely that expected continuation of the present rate of revision of last year's valuation will soon have erased the whole 1946 increase of \$57,000,000.

Despite the claim to the contrary by the Board of Assessors, the record emphatically reveals that a large part of the new valuation added in 1946 was later abated by the Assessors. In 153 cases where the abatement in tax dollars amounted to \$1,000 or more, valuations which had been increased in June of 1946 in the amount of \$11,056,760 were later reduced \$15,069,500. Here the ultimate abatement was 136 per cent of the increase in June. In another group of cases of the same class (abatements amounting in tax dollars to more than one thousand), but where there had been no increase in valuation in June, 1946, valuations were later reduced \$8,516,200.

The total of assessed valuations in the above specific properties (1946 valuations) was \$137,857,200. The abatement total of \$23,585,700 (266 cases) was therefore 17.1 per cent of the original 1946 assessment; and going further along that line, the record reveals that in cases of all years where abatement of \$10,000 or more was granted, the ratio of abatement to assessed value was 18 per cent.

It is evident, therefore, that whatever may be the method by which the Assessors developed the claim that their 1946 abatements averaged 6 per cent, the record reveals that in the cases where a very large amount of tax money was involved, the abatement bore a very much larger relation to the assessed valuation.

Figures furnished the Finance Commission by the office of the Appellate Tax Board show that in their 1946 fiscal year there were 619 decisions by the Appellate Tax Board. The cases involved were valuations of previous years which the owners of the properties believed were so far unwarranted that they were willing to stand the expense of appeal to the State Board. In these 619 cases the decisions ordered abatements which amounted to 26 per cent of the fixed valuations.

The record of the decisions of the Appellate Tax Board since 1933 is striking evidence of the point which the Finance Commission desires to emphasize *i. e.*, that the Board of Assessors has been for years motivated more to reach an acceptable rate than to arrive at a proper taxable valuation. The following figures have been obtained from the Appellate Tax Board:

Abatements Ordered by the Appellate Tax Board in Boston Cases.

YEAR.	Number of Decisions.	Percentage of Abatements Ordered.
1933.....	324	22.19
1934.....	521	21.78
1935.....	107	11.18
1936.....	215	14.65
1937.....	302	13.14
1938.....	381	17.85
1939.....	662	14.34
1940.....	897	15.91
1941.....	1,322	15.77
1942.....	1,545	11.03
1943.....	836	21.61
1944.....	840	23.24
1945.....	437	11.64
1946.....	619	26.10

In their statement that tax abatements in 1941, 1942, 1943, and 1944 amounted to \$17,800,608 in tax dollars, the Assessors themselves have supplied the evidence to corroborate the Finance Commission's contention that the Board has continuously chosen to develop figures which would bring about a particular rate rather than provide a fair valuation. Adding to that total as supplied

by the Assessors the abatements in tax dollars of 1945 (\$2,315,547) and 1946 (to January 1, 1947, \$4,874,922), it means that in the last six years, the Assessors have refunded \$24,991,077. This amounted to rescinding valuations of more than \$560,000,000. In many instances this total contains excessive valuation of the same property over a number of years.

Therefore, although in total dollars of tax money ordered refunded or abated, the present Assessors in their own defense may produce figures showing that they are no worse than their predecessors, the fact remains that they can cite no year in which the Assessors first increased valuations and then, later in the same year, rescinded those increases to the extent to which it was done in 1946.

Each year the inexcusable cost to the city and to the individual owners of property in Boston because of the faulty conception by the Assessors of their duty in determining valuations, *i. e.*, first, determining a rate and then, adjusting the valuations to fit that rate, is growing greater. It requires increased manipulation of figures of valuation in each succeeding year. It has resulted in a lack of confidence by the taxpayers in the annual determination of the tax rate and in the work of the Assessing Department as a whole. It increases the city's financial burden, and it causes unjustifiable expense to many owners of property.

The situation may be likened to a person afflicted with a high blood pressure who wishes to pass a physical examination. Such a person may take a depressant which will lower the blood pressure for the examination record, but once the examination period is past the high, or real, blood pressure will reappear. Similarly, while a depressant in the form of increased valuations is administered for the public examination period of setting the tax rate, the real tax rate becomes apparent when the depressant is removed. In both cases, the objective is attained; *viz.*, a favorable record. But, in either case, the person and the city are deceiving themselves. Instead of recognizing an unhealthy condition for what it is, they prefer to ignore it to achieve a temporary objective.

The Refuse Disposal Matter.

The Public Works Commissioner has made various statements on the subject of disposal of refuse. Without going now into those he has made off the record, his statements at one time appear to favor incineration of refuse, but at another time can be construed only as against incineration. His statement to you, in reply to the Finance Commission, that "the report, (the Finance Commission report) as a whole, is critical of things done" is true to some extent, but the significance of the report with respect to the Public Works Department is that it is critical of things *not* done.

There is no evidence that anything has been done by the Public Works Commissioner to save the city the necessity of paying unconscionable sums for the collection and disposal of city refuse, and it is evident that nothing will be done as long as the refuse collectors continue to control city policy in this matter.

The official record reveals that in a communication to you dated September 4, 1946, which followed the August 28 demand by the Finance Commission that the Public Works Commissioner proceed with the erection of an incinerator in the Brighton-Allston district where costs of collection and disposal have almost tripled in the short period in which the present Public Works Commissioner has served, he wrote "I feel that this is the proper time for the city to proceed with the erection of an incinerator to dispose of, in a modern and up-to-date manner, collections of rubbish and garbage." This communication was attached by you to your own message to the City Council on September 9 in which you recommended an appropriation for the construction of a small incinerator. In this communication you wrote:

"The matter of the disposal of refuse and garbage by the incineration method has long been the subject of study, survey, and report. In a city such as Boston where dumping facilities are at a minimum and so far removed from the collection areas as to constitute a major factor in the cost of removal, it is essential that we meet this situation by this modern method of disposal."

As a result of these representations, the City Council promptly adopted the appropriation order for an incinerator in Brighton. Nevertheless, in February, 1947, the newspapers quoted the Public Works Commissioner as having made statements to the City Council from which it appeared he was then opposed to incineration. Significantly, this was after the annual collection and disposal contracts had been extended by him, without advertised competition at increased prices. He claimed, at that time, that the countryside is dotted with abandoned incinerators; that the incineration method is three times as expensive as the land-fill method of disposing of refuse. His whole tone was against incineration.

To the first part of this statement it is only necessary to point out that from 20 to 30 municipalities in the eastern part of the country, mainly New England, are now either building or planning incinerators; that New York City which tried the land-fill method is now abandoning it because of the nuisances created by it and because land filled with loose rubbish has a questionable value; that New York has reopened incinerators which were closed while the land-fill method was being tried out, and has now adopted a program to spend \$10,000,000 on new incinerators, some of them to be of 1,000 tons per day consuming capacity; and that Los Angeles, which has more land suitable for the land-fill method than any other city in the country, has instead adopted a program to spend \$6,000,000 for incinerators.

The second part of the Commissioner's statement is of itself an indictment of Boston, because in Boston, using the land-fill method — which the Commissioner stated is three times as cheap as incineration — the cost of collection and disposal of refuse is the highest of the big cities. The United States Census Bureau, in its latest compilation of costs, shows Boston cost as \$2.92 per capita while Pittsburgh, with incineration of both refuse and garbage, has a cost of \$2.12 per capita. This comparison alone indicates something seriously wrong in the Boston situation. Other comparisons point in the same direction. For instance: Philadelphia, using a combination of incineration and the land-fill method, has a per capita cost of \$1.60; Detroit, which incinerates garbage and land-fills with refuse, has a per capita cost of \$1.49; New York City, which operates some large incinerators and also in many sections followed until recently the land-fill method, has a per capita cost of \$2.54; Los Angeles, which used its collected garbage for hog-feeding and filled land with refuse (the Boston method, for the most part) has a per capita cost of 75 cents.

There is no doubt that the land-fill method is the cheapest way to dispose of refuse. The Finance Commission and all the engineers who have been employed to study this matter have always conceded that. Why, therefore, should Boston have the highest per capita cost when it uses the cheapest method?

In the first week of January, 1947, when violent protest was being made by a city councillor against the award of new contracts to the old group of refuse contractors without advertising and at another substantial increase in price, joint announcement was made by you and the Public Works Commissioner that construction of an incinerator would start immediately in Brighton, and that the project to build a large incinerator near the City Hospital would soon be under way. It is the latter project which would make unnecessary the enormously expensive disposal of refuse at Spectacle Island in Boston Harbor. The Commission feels that the public is entitled to know what has developed in these two projects. Is the latest attitude of the Public Works Commissioner an indication that they have been abandoned?

Respectfully submitted,
EDWARD F. MULLEN, Chairman,
ALEXANDER WHEELER,
LEO J. DUNN,
FREDERICK DEANE,
FREDERICK W. ROCHE,
The Finance Commission.

ROBERT E. CUNNIFF,
Secretary.
Placed on file.

PETITIONS REFERRED.

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

Claims.

Arthur W. Bernier, for compensation for damage to car caused by an alleged defect in Cummins Highway.

Ellen F. Brodline, for compensation for damage to property at 318 and 320 Columbus avenue, caused by broken water hydrant.

Henry J. Byrnes, to be reimbursed as result of accident which occurred while in performance of duty.

Walton H. Christmas, to be reimbursed as result of accident which occurred while in performance of duty.

Frank S. Dunn, to be reimbursed as result of accident which occurred while in performance of duty.

General Baking Company, for compensation for damage to car by city truck.

Morris Goldstein, to be reimbursed as result of accident which occurred while in performance of duty.

Bernard Hughes, to be reimbursed as result of execution issued against him.

John N. Jenkins, to be reimbursed as result of accident which occurred while in performance of duty.

Carl Krasnoo, for compensation for damage to property caused by an alleged defect at Blue Hill avenue and Seaver street.

Mrs. John J. Linehan, for compensation for injuries caused by an alleged defect at 180 Adams street.

Rita R. Loomis, for compensation for damage to car by city car.

James F. Mahoney, Sr., to be reimbursed for execution issued against him.

Stephen J. McFadden, to be reimbursed as result of accident which occurred while in performance of duty.

David Montane, for compensation for injuries caused by an alleged defect at 5 and 7 Matchett street, Brighton.

Paul Navarro, for compensation for damage to property by police cruising car.

Mary R. Raneri, for compensation for damage to property at 87 Linden street, Allston, caused by truck of Fire Department.

Anna L. Ryan, for compensation for damage to car caused by an alleged defect at Boylston and Clarendon streets.

Thornton Bros. Taxi, for compensation for damage to car by city car.

TRANSIENT VENDOR'S LICENSE.

A petition was received from Edward P. Fewer for transient vendor's license, for sale of health food and books at 30 Huntington avenue. License granted under usual conditions; fee paid; and bond of Massachusetts Bonding and Insurance Company filed.

APPOINTMENT OF WILLIAM F. MCCARTHY.

Notice was received from the Health Commissioner of appointment of William F. McCarthy, provisionally, as inspector of housing and sanitation at \$2,000 a year effective April 9, 1947.

Placed on file.

NOTICE OF HEARING BEFORE PUBLIC UTILITIES DEPARTMENT.

Notice was received from the Department of Public Utilities of hearing to be held April 18, at 11 a. m., on petition of Boston Edison Company for erection of poles, wires, and underground conduit and cables in Soldiers Field road.

Placed on file.

ORDINANCE RE SIDEWALK OPENINGS.

Coun. LINEHAN—Mr. President.

President KELLY—Councillor Linehan.

Coun. LINEHAN—Mr. President, may I at this time comment on the message of the Mayor sent up to the Council relative to the sidewalk ordinance? I am going to move to send it to the Executive Committee.

President KELLY—Councilor Linehan asks unanimous consent to make a statement. Hearing no objection, you may.

Coun. LINEHAN—Mr. President, during the past week, I noticed the Acting Corporation Counsel sent down an opinion stating, in his opinion, the so-called sidewalk ordinance was invalid as the result of being against the so-called City Charter of our city as it now exists. I realize that several weeks ago I read off a lengthy brief to the members of the City Council, and I am assuming most of them believed what I read because I read the law, not opinions of what Councilor Linehan thought the law was. I expressed the opinions of the courts and acts of the Legislature, and also acts of the former council. Frankly, this whole matter to my mind is picayune. I agree on that. After all, I have been the one who has been keeping this ball rolling, and as long as some people think the ball should be kept rolling, and as long as I am legally right, I will answer them until they prove I am wrong by a court decision. I have not said anything up to date relative to the opinion because I have not read the opinion of the Corporation Counsel, and I thought perhaps he might show me the light and explain to me the result of a subsequent court decision rendered by a court since 1883; that perhaps the court was overruled since then, and that my contention, not only on the city ordinance and existing statute in favor of the present ordinance but also a court decision, was wrong. Those of us who are lawyers, and probably others not lawyers, realize that decisions rendered by the court are generally followed by subsequent judges unless certain economic changes affect the subject matter to such an extent that the court believes the construction of the law should be changed. Now, if such a thing has happened, I would like to have the Acting Corporation Counsel show me there is an act or decision in the books to prove that the decision of a prior Supreme Court tribunal of some years ago ruled that the subject matter of sidewalks did not come under the chief executive and administrative supervision under our City Charter. The words, "executive and administrative," come out of section 8 of the City Charter, and I knew that. I think I talked about that briefly before but, of course, they did not also cite section 5 which gives the City Council broad powers, if the City Council chooses to exercise them, relative to abolishing departments, setting up new ones, defining their duties, and many other things. Of course, the City Council has not been notified due to the fact that they have not seen fit to reorganize any department, but it is in the City Charter. That is section 5. Under that section could be construed many things the Acting Corporation Counsel and others rule do not come within the jurisdiction of the Council. I don't doubt but many years have gone by and the Corporation Counsel has ruled certain acts do not come within the jurisdiction of the Council and has cited section 8 all the time. Of course, they do not go into special acts that might apply in the first instance, and other sections of the charter. I think it is time the City Council realized that it has more powers than certain people in the city told them they have. As far as I am concerned, I don't care where the authority finally rests on sidewalk openings, and to my mind it does not make any difference who has the authority to grant sidewalk permits, but I think while we are members of a Body it falls upon us to live up to the laws on the books, and I contend this ordinance up to date is a law and it is still law. When James M. Curley, the Mayor of the city, says, "I will instruct," and incidentally I am quoting him because he has not said anything to me,—he says, "I will direct that the Public Works Commissioner from henceforth on," which means from the time he spoke, "shall issue permits." I don't know whether the Law Department told him to say that because if it did, it does not seem to be good legal sense. They must have told his Honor the Mayor, "Until the City Council repeals it, or until a court of law says that it is illegal, it is a law for the Mayor and the department heads to live up to." I realize that some of you may get bored with the legal tactics involved in this thing, but even though this happens to be a small thing itself, can it not apply to any ordinance on our books today? For example—last week, I believe it was—he said that the ordinance relative to vacations is invalid.

Frankly, I want more time to study that one, but because his Honor the Mayor and the Corporation Counsel say in their judgment it is invalid, on the basis of this opinion where they show you section 8 (they do not cite one court case and none of the statutes that exist on the books) I say their opinions are not worth much. They did not put very much study in this matter. I studied the matter of sidewalks for a whole week and I came in here with statutes and city ordinances and court decisions. I say when his Honor the Mayor requests an opinion from the Law Department they should go into it just as thoroughly as I did. I don't know where the Corporation Counsel is, but his Acting Corporation Counsel signed this opinion, and I would be glad to sit down with any of the editors of the newspapers who might say I have been wrong, and I am willing to be shown I am wrong, and I will publicly state I am wrong. All of us lawyers take sides one way or the other, and we cannot win them all, but if they can show me a decision of the court which proves I am wrong, I will be glad to say I am wrong. Up to now, they have not shown me anything except section 8 which is a catchall section. It says, anything within executive or administrative functions shall not, shall we say, come under the jurisdiction of the City Council, a catchall phrase. What is executive and what is administrative? As the Acting Corporation Counsel said, each matter comes up to the court for decision; therefore, it seems to me that is a sort of judicial question: Where are sidewalks going to be? How wide will they be? That seems to be a judicial question. If we were out to construct a sidewalk, I would say we are wrong; we have not authority, but under section 5 we are the ones who created the Public Works Department, and let that not be forgotten. I am subject to any contradiction by the Clerk of this Honorable Body. I believe that the City Council set up what the duties and functions of the Public Works Commission are. I wish the Legislature some time in the past had set up what the duties and functions of the City Council are, but, unfortunately, we have not such a setup so everything is in a sort of muddle. They can always say it is under section 8. I for one am not going to take an answer of the Law Department which, by the way, is appointed by the Mayor, and the Mayor said he was going to have it transferred. As I said before, I wish the opinions would come down as unbiased ones, but I say now it is probably biased in the fact that the Mayor wanted it to be construed in such a way. It seems like that. I am maintaining my position until I am shown there is a case in the books showing otherwise. Now, I want to be fair to the members of the Council and the men who represent the newspapers here. I want to be fair, most of all, to the taxpayers of the City of Boston. I don't want the good people of Boston to think the Council is usurping powers if we are not. The only one who decides we are usurping them is a court of law, not a Corporation Counsel. I still say, as far as the law is concerned—unless I can be shown another case and frankly, since last week I have studied the court cases and, yes, there might be a case, but so far I have not found it—that I shall maintain my position. I would like to have this referred to the Executive Committee in the hopes the newspaper men will be there, and also the members of this Council. The law as I find it in the books is right here. I have the book right on the table. I don't want you to be taking my word for anything, I want you to read them so that I will not be putting you on a spot in the matter. I don't want to put anybody on a so-called spot. Coming right down to whether or not we should transfer the authority to somebody else, that is not the question just yet until we act on this order. Personally, I don't care where the authority is, but I want it to be fixed. I think the City Council has the authority right now until we are shown otherwise. If I am fair enough to show what law I have, it seems to me it is up to the Corporation Counsel to show us in black and white where we have not got the authority, and he cannot just get away by saying section 8 says this is executive and administrative, because it does not say sidewalks come under executive and administrative functions. It does not say that. That is a judicial decision, no question about that. What I get a kick out of is, in 1938, the ordinance was created because of the abuses that existed under the Public Works

Commissioner when he was issuing licenses, and probably you can say it is the same thing, whether you want a nine-man Council for Boston instead of twenty-two councilors. We had a nine-man Council. Why that was abolished, I will leave to history. I realize I have taken the time of the Council, but I want them to know I am not unfair. I brought in the books to show what I think is the proof, and I hope the newspaper men interested in this will come in. I don't want to overlook anything, I want them to know that here is the law as others see it. If somebody else has law contradicting it, I for one will be glad to be shown the law and the cases to disprove what I have. I will be glad to say I am sorry that I wasted so much time. I am going to study the ordinance which he says does not give us jurisdiction on vacations. I think the city employees deserve the vacations outlined in that ordinance. If his Honor the Mayor is going to say, "We want you members of this Council to repeal that ordinance," and if that is what he wants us to do, I for one admit it is going to be difficult to repeal, because I don't want to go on record taking away vacations from the city employees if we repeal this ordinance. Frankly, I am not sure myself if it is legal until I have made a study of it, and then I might be wrong, but until I get some definite evidence these things are illegal or invalid, I can't vote to take them off the books. If they send a new ordinance giving authority to somebody else, then I will make up my mind how to vote when the ordinance is before me, and not before then. While I think we have the law on our side, I say the City Council wants to live up to the law, and I hope the Mayor does, and I hope he rescinds the order to the Public Works Commissioner. I say the Public Works Commissioner is the one who is usurping the law, and I think even the City Clerk will have to admit that. Until this ordinance is repealed, the Public Works Commissioner is usurping the authority of the City Council. I hope the Mayor rescinds his order if he has given it out, telling the Public Works Commissioner to give out permits when he has no authority whatsoever. If we later on give him power to do that, then that is fine, that is when the law starts, that is where it gets its authority. This does not only apply only to sidewalk openings or the ordinance relative to vacation time and sick leave for city employees. It can apply to every ordinance on the books if his Honor the Mayor wants to take off an ordinance. He might advise the Corporation Counsel to say, "We think that matter is illegal because it comes under section 8."

President KELLY—Councilor Linehan moves reconsideration.

Coun. LINEHAN—I hope the Corporation Counsel will be requested to come down in Executive Session today to show whether he has something beside section 8 to offer. I think that is fair, Mr. President.

President KELLY—The Chair will request the City Messenger to notify the Corporation Counsel to appear in Executive. The question now is on reconsideration to refer this to Executive Session.

Coun. CHASE—Mr. President, what is the matter before us?

President KELLY—The Mayor's message on the driveway openings, councilor.

Coun. CHASE—What is the message?

President KELLY—Being sent to Executive Session, councilor.

Coun. CHASE—Is that the message, to transfer the powers from the Council to the Public Works Commissioners?

President KELLY—That is right.

Coun. CHASE—Mr. President, I believe possibly other members of your Council may object to what I am going to say in view of the fact that his Honor the Mayor has taken issue with the City Council as to their rights and as to the legal right to enact an ordinance pertaining to sidewalk openings. I wish to take issue with his Honor the Mayor as to his right in holding the office of Mayor. As a lawyer, Mr. President, I believe that his Honor the Mayor has no such power—

President KELLY—Councilor Chase, I am going to ask you to confine your remarks to the subject matter before the Body, and that is in reference to reconsideration of referring this matter to the committee from the Ordinance Committee referring it to the Executive Session. Councilor Chase.

Coun. CHASE—I for one do not desire to retain any powers in my hands which are actually illegal, and with that thought in mind I voted to have the Corporation Counsel give us a legal opinion on this matter but, sir, I am now discussing a message sent to this Honorable Body by his Honor the Mayor. I believe, sir, it is proper and in order for me to discuss whether or not the other branch of the government has authority inasmuch as that matter is clearly in issue. Mr. President, not so long ago Mr. Grinnell, secretary of the Massachusetts Bar Association, wrote an article in the paper saying that, in his opinion, it is not necessary to have a criminal conviction of a person who has been shown to have accepted a bribe in his official capacity, and with that thought in mind, sir, I refer back to chapter 268, Section 8, of the General Laws which provides that any officeholder either in state or municipal capacity who has accepted a bribe for some official act is forever disqualified from holding office. With that thought in mind, sir, may I remind you a very eminent gentleman was found by a Justice of the Superior Court to have committed a breach of a judicial capacity, to have committed a breach of his trust in carrying out his duties as chief executive by corruptly requesting and accepting a bribe of \$40,000. That, sir, is in your Massachusetts decisions. There was a finding, sir, of those facts by a Justice of the Superior Court. Now, sir, in view of the fact that we have a law, namely, chapter 268, section 8, which provides that anyone found to have accepted a bribe for doing an official act is forever disqualified I say to you, sir, the eminent gentleman downstairs is disqualified from holding the office of Mayor.

President KELLY—Councilor, let me interrupt you once more. The question before us is not the gentleman's fitness to hold public office. The question before us is reconsideration, referring this matter from the Committee on Ordinances to the Executive Session. Councilor Chase.

Coun. CHASE—Mr. President, may I remind you the chief executive of the city sent this message to this Honorable Body? He sponsored this message, it is his message. The question before us is, in part, has the gentleman downstairs got the legal right to send such a message to us. Has he got the legal right to request this Honorable Body to do such a thing? I say to you, sir, that if the gentleman downstairs is disqualified under the General Laws, he has no legal right to send such messages to us, that he has not the legal right to hold the office of Mayor. He questions our authority to enact ordinances. I question his authority to remain in the seat of the Mayor of the City of Boston in view of the fact that we have on our books a law which says he is disqualified. Now, sir, are we supposed to sit here having in mind we have such laws on our books in Massachusetts, having in mind the man was found by a Superior Court Justice to have accepted a bribe for an official act as Mayor of the city? Are we supposed to sit here and have that gentleman tell us that we are acting outside of our authority? There is an old saying, sir, "Sauce for the goose is sauce for the gander." I am willing to shed myself of any authority if it is shown to me that it is illegal for me to act under that authority, and with that thought in mind, I voted to refer this matter to your Corporation Counsel, but in doing so we get a ruling back that this authority properly lies within the administrative branch of the government, namely, the chief executive of the city. I say to you as an elected office holder, sir, as a member of the City Council, that I have a right now to stand on my feet and to say that the gentleman downstairs is illegally using the office of Mayor and chief executive, that he has not the legal right to hold the office, that he has accepted bribes, and that under the General Laws he should be disqualified.

President KELLY—Councilor Chase, the Chair is going to warn the councilor once more, and if he insists on talking off the order, the Chair regrets he will have to rule the councilor out of order. Councilor Chase.

Coun. CHASE—Mr. President, we have been expected to accept a ruling by the Corporation Counsel who is an appointee of the gentleman downstairs as being law. We are expected, sir, to divest ourselves of this authority that we have been acting on and to allow only his Honor the Mayor and the Public Works Commissioner to act on permits for sidewalk openings. Sir, the time has come, in view of what his Honor the Mayor proposes to do, to question his authority.

I think the time has come, sir, when the Attorney General of the Commonwealth should recognize that the gentleman downstairs is holding his office illegally.

President KELLY—Councilor Sullivan, will you kindly take the chair, please?

Coun. SULLIVAN in the chair.

Coun. CHASE—I for one, sir, have no desire to retain this authority but I do most strenuously object to having the gentleman downstairs take issue with me as to my authority when I know, sir, that he acts without any authority whatsoever in his capacity as the supposed Mayor of the city. I hope, sir, the time will come when the chief law enforcement officer of the Commonwealth, namely, the Attorney General, will recognize that the gentleman downstairs was found as accepting a bribe and that he is disqualified for public office.

Chairman SULLIVAN—Councilor Coffey.

Coun. COFFEY—Mr. President, just briefly on the gentleman downstairs, what is the use of kidding ourselves. In the last six years the gentleman has been tried three times by the public, twice he has been elected to Congress, and the last time he was tried by the public he was elected as the Mayor of Boston by 114,000. I think that is enough for the gentleman downstairs. The people have spoken, and evidently they know what they speak about as a rule. They elected him Mayor of Boston; whether we like it or not, we have to stomach it for the next two years as we have for the last two years. He is our Mayor. He could not be a hell of a lot worse than the last two Mayors we had. He could not compare with the last two we had in Boston. On the order itself, I am going to disagree with the Mayor. Just as soon as I get through talking, and this is referred to Executive, I have a sidewalk opening I am signing and putting it in today. I am paying no attention whatsoever to the Mayor's message. As Councilor Linehan has well brought out, it was passed by a previous council in 1938 and it was signed by the then Mayor. As far as I am concerned, it is a city ordinance on our books and it is going to remain there until somebody can show me it does not belong there. Right up to now I am of the belief it belongs on the books, and that is why I am going to act in the capacity of chairman of the Committee on Licenses, and that is why I am sending the committee report in today for a 15-foot driveway opening in the Dorchester section. No matter what we have to say in the future or the near future or the distant future, I hope we will all bear in mind the gentleman downstairs was tried three times within the past six years and he was not found guilty by the people of Boston.

Chairman SULLIVAN—Councilor Madden.

Coun. MADDEN—I too would like to take issue with the Mayor on the principle involved. For many months now the press has been referring to the incompetence of the members of the Boston City Council. Everybody seems to lay the city troubles at the Council's door. Now, we have the Mayor wanting to cut down what little, if any, power we have remaining. As Councilor Linehan, Councilor Chase, and Councilor Coffey have said, it does not make any difference to me, I have not as yet approved or disapproved any this year, and I don't know that there is much for me one way or the other. However, I think it is high time the people of the City of Boston, and the press particularly, bring up the fact that we as elected members of the City Council—men who come in here ostensibly to represent the people of our districts—have very, very little to do with City Hall. We have no power to make any appointments with probably two or three exceptions. The Mayor appoints his own Fire Commissioner, his own Public Works Commissioner, his own attorney, and so on down the line. We have a law on the statute books that says the various department heads may issue contracts without bids up to a thousand dollars. Recently, the Mayor has usurped this prerogative and apparently they are now giving contracts up to a million dollars without bids. The people are protesting against these things. Do they blame the Mayor? Do they blame the department heads? No, they blame the members of the City Council, and I have yet to see a single contract that has been submitted to this Council for approval. We have absolutely no power to approve any contract I know of. I may be wrong. We have little, if any, power, as I said before, to do anything at all except approve or

disapprove the Mayor's budget. Of course, there is no point in not approving the budget. If it does not pass, it is just too bad. I am one of those who did not approve it. I think it is a ridiculous situation here in the city when those of you who are sent in here as a board of directors for the city have so little power. I see now where the legislative committee on city matters is suggesting one or two ways of remedying the situation. The fairest and most brilliant treatise on the matter I have seen in months and months was written a week ago by Jim Colbert. I think it is well worth reading by every member of this Body, and I think the entire article should be put in the *City Record*. What is wrong with the City of Boston? Certainly, not the actions of the City Council because we have nothing at all to do except, as I said before, to approve the Mayor's budget. Now, we are asked to approve a suggestion of the Mayor that we desist in the future from granting any sidewalk openings. That is not a very big thing, that is true, but it is one more little power shorn from the members of the Council. What a ridiculous situation we have here in the City of Boston. You, members of the City Council, in effect a board of directors for the city, come in here and are paid the princely sum of \$2,000 a year. Your clerks—and I don't say this as criticizing the boys, they are worth every penny of it—get \$2,700. Your stenographers get \$3,700, and your chief clerk gets \$6,000. That is a cockeyed situation, gentlemen. The personnel gets two or three times as much money as the board of directors. That is the trouble with the City of Boston. The gentlemen at Beacon Hill and the General Court have been giving this matter a lot of thought.

Chairman SULLIVAN—Councilor Madden, I will ask the councilor to stay on the question, reconsideration of the communication before the Body.

Coun. MADDEN—I think I am speaking on it, Mr. President.

Chairman SULLIVAN—It is taking it from one committee and referring it to another. Councilor Madden.

Coun. MADDEN—As I said before, it is the principle involved. This is one of the very few things the members of the City Council can do, and now his Honor the Mayor through his able counsel, Joe Scolponeti, my friend, says that we should not even have that power. That is a ridiculous situation, too. I think Joe Scolponeti is a great fellow, but he certainly is not the people's attorney. He is the Mayor's attorney, he is the Mayor's personal pal and friend, and he sends down decisions that meet with the Mayor's approval. Now, I think it is high time men like the Corporation Counsel who band down decisions such as this, men like the Public Works Commissioner and others who have such power in the city, should be elected, or at least the members of the City Council should have some say in their appointment, and then there would not be this trouble in getting these one-way decisions or opinions from the Corporation Counsel.

Chairman SULLIVAN—The question is on reconsideration, taking the communication from the Committee on Ordinances and referring it to the Executive Committee. All those in favor, say "aye," those opposed, "no," and it is ordered.

Coun. LINEHAN—What is the situation now?

Chairman SULLIVAN—The communication is now in Executive Committee.

Coun. LINEHAN—Thank you.

The matter was referred to the Executive Committee.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Report on petition of Jeremiah B. McNulty (referred October 15, 1945) for driveway opening at Wenham street, Ward 19—recommending that permit be granted.

Report accepted; permit granted under usual conditions.

CONSTRUCTION OF RECREATIONAL FACILITIES IN EAST BOSTON.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor be requested to confer with His Excellency the Governor to urge upon him the necessity for constructing a

stadium, swimming pool, and other recreational facilities in East Boston before another penny is spent by the state on the enlargement of the Logan Airport.

Coun. COFFEY—Mr. President, a couple of years ago the State Public Works Department, the Legislature and the Governor, agreed to give the East Boston section recreational facilities to replace Wood Island Park taken for the expansion of the East Boston airport. Up until today there has been no work started on either the swimming pool, the wading pool for boys and girls, mothers' rest which we are supposed to get, or the stadium promised us, not only by the Public Works Commissioner but also by his Honor the Mayor at the protest march I led at City Hall here about ten weeks ago. Since that time there has been work started, and one hangar has been completed at the East Boston airport. Another hangar has been started right under the homes of the people who live in Prescott street at the junction of Cleveland and Shrimpton streets. That hangar will probably be finished within the next few months and after that there are going to be at least 12 more hangars erected within a mile radius of the East Boston airport. At a meeting a week ago last Friday, the Chamber of Commerce officials, the officials of all the airlines at the East Boston airport, and the Governor and the Public Works Commissioner and others interested in the expansion of the airport, were present, and the air officials told the Governor plainly they wanted another \$20,000,000 spent on the expansion and completion of the East Boston airport and want it spent immediately. I am asking the Governor and the State Department of Public Works not to spend one penny on the airport until they give us, the people of East Boston, what they promised. I am sick and tired of taking my feet for the past three and a half years asking them to give us what they promised. There is \$1,300,000 in appropriations all ready to be spent on the development of recreational facilities for the people in my district, and I want them to start on that program and not spend any more money on the airport. There are lines over there who owe rental to the state for the past two years. One of the airlines, Northeast, has refused to pay for their rent for the past two years. They have refused to pay five cents up until last November, and they then owed \$53,000 in back rent. They have even taken the state to court to try to beat the rental charge by the State Department of Public Works. Still, with all the money they owe, they can go out and erect another hangar that is costing close to \$1,000,000, and they are putting that hangar right under the houses of the people on Prescott street who have lived there for years and years and have watched the airport expand since its erection in 1929. It is not fair, it is not right, it is not justice. I think this body which calls itself the Chamber of Commerce, and I would like to look them up individually and I would be willing to make a wager here and now they are people who have big investments in that airport; not one has come to the front for the people of East Boston, especially for our children. Now the racing season is about to start again, we are going to have more children killed in our district, whereas if these recreational facilities were complete some lives would be saved this coming summer, just because we have a greedy outfit over there at the airport which wants to take all and give nothing in return. They control the Public Works Commissioner, and there is proof enough of it. We just had a man named Cairns as Public Works Commissioner for the state for the past two years. Mr. Perini who owns the Boston Braves has the biggest contract at the East Boston airport for developing the port. What happened when Mr. Cairns' time expired? He was taken off the state pay roll and another man put in his place, and where does Mr. Cairns go? On the Boston Braves' pay roll, Mr. Perini's pay roll, so he must have been a stooge for Mr. Perini of the Braves for the two years he had been Public Works Commissioner. Not one effort did he make during those two years to do anything to erect that stadium or to erect the swimming pool, or to erect the wading pool for the children of East Boston. They have taken away four complete parks, a quarter of a mile of track, an outdoor gymnasium, an indoor gymnasium, tennis courts, soccer field and basketball court, and not one cent has been expended to replace the things they have taken from us for that airport. I ask in all fairness that the Public Works Commissioner and the Governor of Massachusetts and the Legislature

itself live up to the agreement they made. The money is appropriated, there is \$1,300,000 to be expended for recreational facilities in East Boston, and it is about time they did something, and did something now, before the summer season is over. The order was passed under suspension of the rules.

INVESTIGATION OF RUMORS RE SLUSH FUND FOR LIQUOR STORES.

Coun. COFFEY offered the following:

Ordered, That the Attorney General be requested, through his Honor the Mayor, to investigate the rumors pertaining to the Slush Fund for Liquor Stores.

Referred to the Committee on Rules.

INVESTIGATION OF BILL FOR PARKING METERS.

Coun. COFFEY offered the following:

Ordered, That the Attorney General be requested, through his Honor the Mayor, to make an immediate and thorough investigation of the Bill for Parking Meters in Massachusetts.

Chairman SULLIVAN—It is referred to the Committee on Rules.

Coun. COFFEY—Mr. President, I take issue on this. This is a Boston matter, coming into the City of Boston, and I think I should be allowed to talk on it.

Chairman SULLIVAN—The Chair has referred it to the Committee on Rules.

Coun. COFFEY—I appeal the decision of the Chair.

Chairman SULLIVAN—Counsel Coffey appeals the decision of the Chair.

Coun. MUCHNICK—Mr. President.

Chairman SULLIVAN—For what purpose does the gentleman arise?

Coun. MUCHNICK—A point of order, Mr. Chairman.

Chairman SULLIVAN—State your point of order.

Coun. MUCHNICK—The reference to the Committee on Rules is not subject to appeal, as I understand.

Chairman SULLIVAN—The Chair has been informed there is no appeal on any matter referred to the Committee on Rules.

Coun. COFFEY—I ask unanimous consent to make a statement.

Chairman SULLIVAN—On the unanimous consent, if granted, I will not allow you to speak on this matter which has been referred to the Committee on Rules.

Coun. COFFEY—This is an order pertaining to parking meters for the City of Boston. Will you give me a reason for referring it to the Committee on Rules?

Chairman SULLIVAN—It is calling upon the Attorney General to take action.

Coun. COFFEY—That is right.

Chairman SULLIVAN—We have no power to call upon the Attorney General to do anything.

Coun. COFFEY—The Chair was in error at a previous meeting when something was referred to him for investigation. It was not referred to the Committee on Rules. So the Chair is in error now or was in error at that time.

The order was referred to the Committee on Rules.

PLAN E FOR EVERY CITY AND TOWN.

Coun. COFFEY offered the following:

Ordered, That the Corporation Counsel be requested through his Honor the Mayor, to draft legislation for presentation to the Legislature whereby the proposed bill for Plan E in Boston will be amended to read every city and town throughout the Commonwealth.

Coun. COFFEY—Mr. President, on this order I have introduced, yesterday when I saw the report from the committee that is represented by Charlie Innes, the Senator from the Back Bay of Boston, it seemed as though it was brought in at the right time. It seemed as though it was timed just perfectly, their bringing in the report on proportional representation for Boston. I think the majority of the members feel the same as I do. They are going to put one of two things on the

ballot if they hold a plebiscite in May. The people will be allowed to vote as to whether the members of the Boston City Council shall be elected by boroughs or elected by city-wide voting. In effect, you can vote for nine out of the number of candidates on the ballot. There is only one thing I want them to do. I want them to put on the ballot first, "Do you want a 22-man Council in Boston, or do you want a 9-man Council in Boston?" Then, they vote. Naturally, the decision should rest with the voters and not with those on Beacon Hill. They have changed our City Charter twice within the past 40 years. They adopted a Body of five at one time, back in 1906, and they had a Body of nine back in 1924. Now they have changed it to a Body of twenty-two. Now again they want to change it to a Body of nine, and they are not doing it the right way. That is why this bill calls for all the members of the Legislature and all the other officials throughout every city and town in the Commonwealth to be given the same consideration they are trying to put on the voters of Boston. Have a state-wide plebiscite, in every city and town, and elect members of the General Court and other city governments, whether it be a board of aldermen, city councilors, or board of selectmen, elect the same way as the Boston City Council are to be elected, and not just pick on the Boston City Council because little Charlie Innes, Stuart Rand, and Bill Mullins of the *Herald-Traveler* want to change because they cannot walk in and out downstairs and get what they want like they could in 1941 to 1945 and other years. So they want to change our form of government and naturally they have a Back Bay Republican to bring in a report we should have a plebiscite. There are only two ways the people have a chance to vote, either for proportional representation or a nine-man Council at large. I say it is not fair, and they are not acting wisely in doing what they are doing. If they want first to put on the ballot a 22-man Council or a 9-man Council, and give the people a choice, I know every member of this Body will be satisfied with that. I have said it before, and I say it again, personally I don't care whether it is 22 or 9, but I am not going to sit idly by and let the Legislature decide we are going to have a 9-man Body without giving the people of Boston a chance to vote as to whether they want a 9-man Body or not. I am not going to say they get better representation with a 22-man Body. I don't have to say that. Everybody within the hearing of my voice knows that. That gives everybody in the district at least a chance to know their councilor. If we do get a 9-man Body, don't forget we have five wards in Dorchester and the people of Dorchester are smart. There are close to 100,000 votes and they could have their own nine men. They would be silly to choose nine from other wards because the fellow nearest to home is the fellow nearest to get to. It is a certainty the people out in Hyde Park or Roslindale or West Roxbury are not going to come over to East Boston when it would take them an hour to see me to get their favor granted if they have people in their own section running for office, and that is especially true of the people in Dorchester. They are not going to go to East Boston, Charlestown, the North End, Hyde Park, Roxbury, or Brighton. They are going to vote for somebody handy whether they know that person or not. They recognize the street that person lives on and know he is handy to their homes. That is how they will go down the line and vote for nine local candidates. It is not a fair system, it is not a better system. There is one thing I am certain of, the Republicans will get fooled. They think there will be 100, 110, or 120 candidates on the ballot, Democrats, and three or four of their own kind up here so Bill Mullins and Stuart Rand and a few others can come in here and get everything they want; yes, their own city manager in the near future, and run the Mayor's office as they have in the past through the big fellow who pulls the string, Mr. Henry Parkman, probably behind all this with Bill Mullins.

The order was passed under suspension of the rules.

TO REDUCE NUMBERS OF GENERAL COURT.

Coun. COFFEY offered the following:
Ordered, That the Corporation Counsel be requested, through his Honor, the Mayor, to

draft a bill for presentation to the Legislature whereby the present membership of the House and Senate will be reduced to one half of the present members.

Coun. COFFEY—I think, Mr. President, I always have thought, and always will think, there are too many members at Beacon Hill.

Coun. MUCHNICK—Mr. President.

Chairman SULLIVAN—For what purpose does the gentleman arise, Councilor Muchnick?

Coun. MUCHNICK—A point of order.

Chairman SULLIVAN—State your point of order, councilor.

Coun. MUCHNICK—Isn't that order properly referable to the Committee on Rules having something to do with —

Coun. COFFEY—Send it to the District Attorney's office, that is where it belongs.

Chairman SULLIVAN—The Chair at this time before reference to any committee or passage would like to hear what Councilor Coffey has to say before making the ruling, Councilor Coffey.

Coun. COFFEY—After I get through, I will ask it be sent to the District Attorney's office.

Chairman SULLIVAN—Councilor Coffey.

Coun. COFFEY—Mr. President, this is one opportunity that the members of the Boston City Council have of hitting back at those that can hit us, and really cut down on them. They want a 9-man Council. All right. Personally, I don't care, as I said before, but there are 240 members in the House of Representatives. I think they should be cut in half; 120 members are enough. There are 40 members in the Senate. I think they should be cut in half. There should be 20 members elected to the Senate. It is just as fair for us as it is for them. I am only cutting them in half. They are cutting us more than half. They only give the people two choices, not a vote for a 9-man Council or a 22-man Council, but now the 9-man Council should be elected. I hope MacDonald, who is supposed to be the watchdog of the taxpayers' money will follow this order up, and get petitions up, and get the referendum on the ballot. I am positive the people of Boston would vote to cut the Legislature in half if they had an opportunity to do so. We had a bill in the Legislature last year to increase our pay. The Legislature being smart in its wisdom put a referendum on the ballot, and the newspapers went to town and murdered us, and we were refused an increase in pay so that we are getting \$2,000 a year here today. But the Legislature did increase their own pay \$500 and \$14 and something a week for traveling expenses for those who come from Boston. When I was in Beacon Hill four years I got ten cents a day for my travelling expenses. Now they get \$14.50 a week besides the \$500 increase in pay. Don't forget those who come from further away get their \$1,000 a year traveling expenses. On top of that, am I not right when I say they have a certain fund supposed to be given to them for clerical and stenographic work? On top of that, they want another increase, and Henry Shattuck, the man who sat here next to us, got up and defended the Legislature, and to my amazement, he said they are not looking for a \$300 increase in pay, they are only looking for \$250 above what they took, without giving the people a chance to vote as to whether they should receive a little increase. But they did put it on the ballot for the people to vote on as to whether we should receive the salary increase or not. I say there is not a member of the Legislature or there are not any two members of the Legislature who do half the work one member of the Boston City Council does. Yes, I say in the five days they meet on Beacon Hill, they don't do as much work as we do on a Monday. The majority of us are so crowded with people from ten to two o'clock we have to leave some of the people out in the corridor and come in here to answer the roll call and try to get debates as they come up and try to take care of the people outside at the same time. If there is anybody that needs an investigation, it is the same Body on Beacon Hill — (The chairman struck the gavel.) I am all through.

Chairman SULLIVAN—It is referred to the Executive Committee.

Coun. LINEHAN—I sincerely hope this last order filed does not pass.

Chairman SULLIVAN—It is referred to the Executive Committee, councilor.

Coun. BAYLEY—Mr. President.

Chairman SULLIVAN—For what purpose does the gentleman arise, Councilor Bayley.

Coun. BAYLEY—Isn't the distinguished councilor allowed to speak on a subject before the Body?

Chairman SULLIVAN—I had already referred it to the committee.

Coun. BAYLEY—You acted very fast, Mr. President.

The order was referred to the Executive Committee.

RENOVATION OF VETERANS' MEMORIAL PLACQUES BEFORE MEMORIAL DAY.

Coun. HANNON and KEENAN offered the following:

Ordered, That his Honor the Mayor be requested to direct the Commissioner of Veterans Services to paint and renovate all veterans' memorial plaques in the City of Boston prior to Memorial Day.

Coun. HANNON—Throughout the various sections of the city, Mr. President, there have been erected plaques honoring the names of residents of that particular vicinity who have entered the armed forces, some of whom have given their lives in the defense of this country. In many places throughout the city the condition of these plaques certainly does not add anything to the neighborhood. I think out of respect for what these plaques stand for, out of respect to what they mean and the purpose for which they were erected, the city should in some way provide funds so that on Memorial Day these plaques are dressed up and repainted or regilded. I believe you will find in many sections of the city that organizations that were banded together during the period of the war erected these plaques and probably they have now been disbanded and are not in existence, but the plaques are still there, and I think they do honor the citizenry of Boston who gave their lives to the armed forces. I think the city might well spend a few dollars to see that each and every one of these plaques is properly dressed up for Memorial Day.

The order was passed under suspension of the rules.

SEED FOR PARK IN OAK SQUARE, BRIGHTON.

Coun. MADDEN offered the following:

Ordered, That his Honor the Mayor instruct the Park Commissioner to submit a supplemental budget of one dollar and fifty cents (\$1.50) for seed, to seed the small park in Oak square.

Coun. MADDEN—This is an order something along the line of the order just introduced by Councilor Hannon. I can't for the life of me see how the city can give fabulous contracts without bids, they can give fabulous abatements without any question, but here we have a little park in Oak square, Brighton, a beautiful park dedicated to the boys from that section who went into the service, and for some reason, now for two years the City of Boston has not apparently had the money to properly seed this place. As a matter of fact, I don't think they had one single bit of seed on it. I for one would be willing to pay the cost of seeding that park out of my own pocket if the City of Boston is so niggardly that they cannot go ahead and properly take care of this park with its memorial on there to the veterans. I think it is disgraceful and an outrage.

The order was referred to the Executive Committee.

CONTINUATION OF UNIVERSITY AT DEVENS.

Coun. MADDEN offered the following:

Resolved, That the Boston City Council, in meeting assembled, is of the opinion that the University at Devens be continued at least until such time as all present students at said university have completed their courses and that every opportunity be granted these young men to obtain a college education in return for the tremendous sacrifices in time, in hardship, and in personal loss that these young men have undergone in order to perpetuate the American form of government.

Referred to the Committee on Rules.

REINSTATEMENT OF J. RALPH GRANARA.

Coun. MADDEN offered the following:

Whereas, His Honor the Mayor some time ago removed Joseph A. Langone and J. Ralph Granara from their respective duties pending the outcome of certain charges; and

Whereas, Both have been exonerated by the courts of the Commonwealth; and

Whereas, Mr. Langone has been reinstated to his former office, therefore be it

Ordered, That his Honor the Mayor be requested to reinstate J. Ralph Granara, veteran of World War II, as Registrar of Veterans Graves and Memorials, or to a position of similar responsibility and remuneration.

Coun. MADDEN—I don't want to take issue, of course, with the Mayor, but these men have been appointed by the Mayor and I for one don't want to question his integrity. It does seem strange, and it seems strange to those of us who are close to veterans' circles, that with these two men involved in the same matter, both acquitted by the courts, that the nonveteran gets his job back and the veteran does not get his job back. I realize that the Mayor must have some good reason for not reappointing Mr. Granara but I think the veterans of the city are entitled to know why. There have been many things pertaining to veterans' matters that do not look right to the veterans of the City of Boston. That all goes back to the Mayor's inauguration down in Symphony Hall. You and I know the Mayor borrowed a bunch of veterans and had them across the stage. I don't know what his boast was, but he did say he would do anything in his power for the veterans. Since then, he has precluded the veterans from any chance at ash and garbage work. "No, that is a closed corporation, no veteran can bid on that." He has made appointments to various department heads, and other than Frank Pedonti, I don't know one ordinary veteran he has appointed. He has appointed two or three brass hats who are very capable men, but just why the Mayor has not appointed the ordinary veteran to some of these jobs a lot of people cannot understand. And then there is probably the most depressing thing of all, the housing situation. It does not make any difference whether the veteran is used for the excuse to start it rolling, but it seems a tragedy. You can drive from here to Florida and see how the projects are abandoned. They have so much building down through the South they have abandoned housing projects, and if you want to know about it, go down in Georgia. They have so much building down there they have abandoned the housing projects. It certainly seems strange that the Mayor who is a former congressional power and the head of this big city has not been able to do something for the veteran in housing. Now we find him failing to appoint another veteran to the office he rightly had. I don't know what the Mayor's reasons are, but I think the Council should know, and I think the veteran should know.

Coun. MÜCHNICK—Mr. President, in view of the councilor's request that we get some information as to why the Mayor has not done this, it seems to me rather than passing this now we ought to refer it to the Executive Committee with the request that somebody from the Mayor's office come up with an explanation.

Chairman SULLIVAN—The Chair will accept the suggestion and refer it to the Executive Committee.

The order was referred to the Executive Committee.

NOTIFICATION OF HEARINGS ON CHARTER CHANGES.

Coun. KEENAN offered the following:

Ordered, That his Honor the Mayor direct the legislative agent of the City of Boston to inform the members of the Boston City Council when hearings on the proposed charter changes are to be held in order that the members of the Boston City Council may have the opportunity of being heard.

Coun. KEENAN—Mr. President, I would like to submit for the *City Record* an article that appeared in the *Boston Sunday Post* of April 6, written by the newspaper man, Jim Colbert.

Chairman SULLIVAN—If there is no objection, the article will be included in the record.

The order was passed under suspension of the rules.

The article referred to is as follows:

THE POLITICAL PARADE.

By James G. Colbert.

Judge Robert Gardiner Wilson of the Suffolk Probate Court, himself a former member of the Boston city government, compares the plebiscite proposed by the special Boston Charter Commission to a communist election. "Everybody can vote—for the name on the ballot," declares the jurist.

Turned Down in 1924.

He cites that the Legislature is now being asked to restore to City Hall the 9-man Council which the Legislature itself ruled unsatisfactory back in 1924. Judge Wilson also makes the salient point that the Boston voters who elect city councilors by wards are the same people who elect legislators by wards.

Something of an expert on municipal matters, having served as a city councilor for 12 years under four different Mayors, Judge Wilson maintains that there is something to be said for local representation in the city government.

He offers a City Council plan for the consideration of the Legislature and the voters of Boston which he believes might give the people local representation and yet eliminate some of the objectionable features of the present 22-man Body.

Judge Wilson proposes a 15-man Council, 11 members elected locally and four elected at large. He suggests that one councilor be elected from each two wards of the city, though he advocates a revision of the present ward lines so that the Council districts would be of approximately the same size.

A Republican, who has been frequently mentioned by G. O. P. leaders as a member of their party who might win election to the office of Mayor if he could be induced to run, Judge Wilson vigorously backs up the contention of Judge Daniel J. Gillen of the Boston Municipal Court that whatever change is made in the City Council should be by vote of the people and not be put into effect over their heads by the Legislature.

Should Have Power.

As one means of improving the City Council, Judge Wilson urges that it be vested with greater authority and responsibility, advocating that it be empowered to override the Mayor's veto by a two-thirds or three-quarters vote. He asserts that any elective body, which even by unanimous vote cannot have a real and affirmative voice in the government of which it is a part, can hardly justify its existence.

In his discussion of the recommendation by a majority of the Charter Commission that the Legislature wipe out the 22-man City Council and substitute a 9-man Body without a referendum to the people, Judge Wilson declared that the Legislature made that mistake in 1924 when it abolished the 9-man Council without giving the voters an opportunity to retain it if they chose to do so, thereby accepting at least partial responsibility for the adoption by the people of the Ward Council.

One of the striking observations made by Judge Wilson in his reference to the 22-man and 9-man Councils was that four members of the last 9-man Council sought election to the 22-man Body in 1925 and that three of them were unable to carry their home wards.

"It is not surprising that six of the nine members of the special commission which has studied the Boston City Charter filed dissenting reports or supplementary statements to the recommendations of the Commission," Judge Wilson asserted. "A reading of the report suggests that the mountain labored and brought forth a mouse."

"Hobson's Choice."

"Apparently the capital city of New England is the one community in Massachusetts which cannot be trusted to work out its own destiny according to democratic principles still prevailing on this side of the Atlantic. The 'Hobson's Choice' to be submitted to the voters of Boston reminds one of a communist ballot. Everybody can vote—for the name on the ballot.

"Back in 1924 the Legislature, in its assumed wisdom, decided the then existing system had

proved a failure, so it wiped out the Council of 9, elected at large. Then the voters, in the largest city in New England, were told to substitute either a Council of 15, elected three from each of five so-called boroughs, or a Council of 22, elected one from each ward. The latter won by 4,660 votes.

"I assume the legislative theory in 1924 was that the guinea pig would improve with this changed diet, and a higher type of personnel would be assured at City Hall," Judge Wilson continued. "Interestingly enough, four members of the then Council of nine who had been elected at large, sought election to the new Council of 22, and three—William C. S. Healey, James A. 'Jerry' Watson and William J. Walsh—failed to win in their own home wards.

"Now in 1947 it is proposed to prescribe again the 1924 diet. This time the Legislature would say, 'You will revert to the 9-man Council the Legislature itself abolished in 1924; but we'll allow you to decide whether to elect such a Council by limited voting or under proportional representation.' In effect they say, 'You can have your choice of dessert; that is you can't have cake or ice cream, but we'll let you choose whether to eat your pie with a fork or a spoon.'

"The voters of Boston are entitled to a free choice, by Democratic and not Soviet election methods," the jurist insisted.

Plan E Complex.

"Of course, a small group in the Massachusetts Legislature, with a Plan E complex, has been trying to mother Boston by remote control now for years," Judge Wilson went on. "Plan E may well have its merits. But no Council or Legislature is collectively any more honest or competent than are its individual members. And each councilor sent to City Hall, whether elected city-wide or from some ward, is no better than the constituency that elects him.

"That is democracy in action. Every ward in Boston is sending a city councilor to City Hall one year, sends ward representatives to the State House the following year. Perhaps we should assume these voters are really selective only every other year.

"I served in the City Council from the central part of Dorchester for six terms, or a total of 12 years, under four different Mayors. Being in the east always offers an excellent opportunity to study the play.

"As long ago as 1933 I presented a bill for approval by the Massachusetts Legislature, providing for a Council of 15—11 to be elected every two years, one from each two wards, and four elected at large for four years. There is much merit in both methods of representation. Election at large may produce men of wider viewpoint, but reasonable local representation is even more essential in city government, I believe, than in State government."

Real Goal Plan E.

"Even more important, I feel, is some real degree of responsibility and authority in the Council, unless most members elected to that Body, by any method, are to continue as mere municipal errand boys and a possible sounding board for public opinion.

"My proposed bill provided that a two-thirds vote could override a veto by the Mayor. I would subscribe to even a three-quarters vote—or 12 out of 15 members. But a legislative body which cannot, even by unanimous vote, have a real and affirmative voice in the government of any nation, state or city, should be abolished. Under the present charter provisions the Council qualifies merely as a 'gadfly of Socrates'—frequently without either a sting or a Socrates.

"The majority of those insistent on the proposed change advocate it merely as a means to an end. The real goal is Plan E as a cure-all millennium for Boston. Why not frankly say so? Even if their hopes and claims are justified, I cannot agree that democracy has proved a failure, or that some 400,000 Boston voters are as yet incompetent to have a real choice in their form of government. The suggested form of plebiscite or referendum would be more of a farce than the 'choice' offered to Boston voters by the Legislature in 1924," Judge Wilson declared.

He stressed that one of the first steps to improve Boston's city government should be to redraw the ward lines, remarking that the present representa-

tion in the City Council "is grossly disproportionate, with some wards containing more than twice as many voters as other."

Explaining his proposal that the Council be given greater power, Judge Wilson maintained that the management of the affairs of a city such as Boston should not be left largely to the wishes and discretion of one man, the Mayor.

"City governments perhaps more closely concern the people than either state or federal government," he said. "It is the city government which taxes their homes, and so indirectly the tenants, and which wisely or unwisely thereupon provide police and fire protection, sanitation and public improvements.

"It is a vast business enterprise perhaps analogous to the management of some great public service corporation. The affairs of the stockholders, even in a great business corporation, are not left to the unbridled discretion of any one executive but with a board of directors."

One-Man Rule.

"The conduct of the business of a great city is something part way between a business corporation and the State Legislature or Congress. And yet the affairs of the City of Boston are in effect solely subject to the individual wishes of the chief executive. So far as I know the City of Boston is the only city in America, not under a city manager, in which the legislative branch of the government cannot, even by unanimous vote, pass any measure over the veto of the Mayor," he stated.

Judge Wilson expressed the conviction that his plan for a 15-man Council, with four members elected at large and one chosen from each two wards of the city, might be a logical compromise between the 22-man and 9-man bodies.

He said the men elected from double-ward districts should have a broader viewpoint than those chosen by single wards "without getting too far away from local needs and responsibility," adding that the four councilors elected at large would be expected to assume a substantial city-wide viewpoint without consideration of "selfish local interests."

The Probate Court jurist emphasized that he does not suggest that his scheme be put into effect by the Legislature. He advocates that this and other Council plans be placed on the ballot for the consideration of the voters and that the people be allowed to choose the form of Council they want.

Close Vote.

Back in 1924, when the Legislature decided to abolish the 9-man Council and give the people a choice between a Ward Council of 22 members and a 15-man Body elected by boroughs, the vote was extremely close.

The records show that 56,262 persons voted for the 22-man Council, that 51,602 favored the Body elected by boroughs and that 111,998 persons who

went to the polls in that Presidential election didn't ballot at all on the question, presumably because they didn't favor either plan or didn't care which one was adopted.

Less than 10 years after the election, a move was started for another change in the Council, with the feeling expressed that neither of the two alternative plans submitted to the voters by the Legislature was entirely satisfactory.

To Judge Wilson and other students of municipal government there appears to be one glaring inconsistency in the charter picture.

The 1924 Legislature abolished the 9-man Council as a failure without determining where the people stood. The 1947 Legislature is being asked to restore the 9-man Council as a municipal reform without determining the sentiment of the people. "Could both actions be right?" they want to know.

Judge Wilson suggests that the people of Boston probably could do just as good a job as the Legislature in selecting the form of City Council they should have—if the proper choices were submitted to them and they were given a free voice—and do it in Democratic fashion.

ACCEPTANCE OF WARD 20 STREETS.

Coun. BRYAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out the following-named streets in Ward 20 as public ways:

Garrett street, Sunnybank road.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Bryan, the Council voted to take a recess at 3.30 p. m., subject to the call of the Chair. The members reassembled and were called to order by Chairman Sullivan at 5.40 p. m.

EXECUTIVE REPORT.

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

Report on message of Mayor and communication from Corporation Counsel *re* validity of ordinance on granting of driveway opening licenses by Council—recommending reference to Committee on Ordinances.

The report was accepted, and the matter was referred to the Committee on Ordinances.

Adjourned, at 5.45 p. m., on motion of Councilor Fish, to meet on Monday, April 21, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 21, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Fish, McCormack and Scannell.

The meeting was opened with the salute to the Flag.

DISAPPROVAL OF DRIVEWAY OPENING PERMIT.

The following was received:

City of Boston,
Office of the Mayor, April 15, 1947.

To the City Council.

Gentlemen,—I return herewith, without my signature and disapproved, permit for driveway opening on Wenham street, filed with your Honorable Body on October 15, 1945, and approved at the City Council meeting of April 14, 1947.

On April 8, 1947, I transmitted to your Honorable Body a communication from James W. Kelleher, Acting Corporation Counsel, in which the opinion was given that the ordinance by which your Body granted permits for driveway openings was invalid.

I have the utmost confidence in the legal ability of Mr. Kelleher, and in his knowledge of municipal law. I am satisfied that the opinion rendered is sound, and I am of the belief that I, and all other responsible officials of the city government, should be bound by that opinion until, and if, a court of competent jurisdiction decides otherwise.

Therefore I will not in this instance, or hereafter, approve any permits for driveway openings passed by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

RESCISSION OF LOAN ORDER OF OCTOBER 18, 1946.

The following was received:

City of Boston,
Office of the Mayor, April 21, 1947.

To the City Council.

Gentlemen,—On December 17, 1946, I approved a loan order adopted by your Honorable Body, authorizing the expenditure of \$5,000,000 for off-street parking facilities. This loan order was in substitution for a prior loan order for the same purpose which was unacceptable to counsel for the bond purchasers.

In order that the record may be cleared, I submit herewith an order for the rescission of the loan order which ostensibly went into effect on October 18, 1946. I believe rescission of this latter order to be desirable in order that there may be no question as to the sum to be expended for off-street parking facilities, which, under present authority, is limited to \$5,000,000.

I recommend passage of the accompanying rescission order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the order for loan of \$5,000,000 for off-street parking facilities, authorized under the provisions of chapter 474 of the Acts of 1946, submitted to the City Council on August 19, 1946, and effective on October 18, 1946, be, and hereby is, rescinded.

Referred to Executive Committee.

REVISION OF ORDINANCES.

The following was received:

City of Boston,
Office of the City Clerk,
April 21, 1947.

To the City Council.

Gentlemen,—In compliance with the order of your Honorable Body adopted March 4, 1946, I have prepared and submit for your consideration a draft of a revision of the ordinances.

The fourteenth revision was made in 1925, and it may be noted that from the incorporation of the city in 1822 up to 1925 the longest interval between revisions was 16 years.

Since the 1925 revision more than 21 years have elapsed; the printed copies of that revision have not been available for distribution for the last two years; and the ordinances in addition to and amending it number 109 and fill supplementary documents of 90 pages.

This proposed revision incorporates those amendments and contains no changes in substance except those made necessary by legislative enactments, uncontested legal rulings, and subsequent ordinances.

If the City Council sees fit to adopt this revision and reserve their action on any controversial matters to subsequent amendments, it will serve to remedy a situation which has been a source of trouble and vexation to the courts, the legal profession, and the general public for several years.

Respectfully,

J. B. HYNES, City Clerk.

Referred to the Committee on Ordinances.

PETITIONS REFERRED.

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

Claims.

Albert H. Austin, for compensation for damage to property at 85 Linden street, caused by fire apparatus.

Lida Cookson, for compensation for injuries caused by an alleged defect at Huntington avenue and Fenwood road.

D. M. Hamblin, for compensation for damage to car by city car.

John J. Shea, to be reimbursed as result of accident which occurred while in performance of duty.

PERMITS FOR CHILDREN.

Petition for children under 15 years of age to appear at places of public amusement, viz.:

Boston Music School, Inc., Brown Hall, May 4;
Daniel D. Tierney, Jordan Hall, May 9.

Permits granted under usual conditions.

PERMIT FOR TRANSIENT VENDOR.

A petition for transient vendor's license was received from Armand Guarente for sale at 57 Brooks street, East Boston, and Central square, East Boston.

Permit granted under usual conditions, fee paid, and bond approved.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Councilor Muchnick of his interest in a prospective contract between Tech Process, Inc., a Massachusetts corporation, and the Boston Housing Authority.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Department of Public Utilities of hearing on May 5 at 10.30 a. m. on petition of Eastern Massachusetts Street Railway Company for operation of motor vehicles on Neponset bridge between Quincy-Boston boundary line and Old Colony Parkway, and on Old Colony Parkway from Neponset bridge in a one-way direction to and around the traffic

circle at the ends of Neponset avenue and Gallivan Boulevard and to the Neponset bridge in the other direction.

Placed on file.

CONSTRUCTION OF SOLARIUM AND SWIMMING POOL.

Coun. RUSSO offered the following:

Ordered, That the Trustees of the George Robert White Fund be directed by his Honor the Mayor to have a representative visit Washington to intercede with Frank R. Creedon, Housing Expeditor, for the immediate certification of the materials necessary for the construction of the bathhouse and solarium on the Esplanade, Charles River Basin, and the swimming pool at the North End Park, and be it further

Ordered, That a copy of this order be forthwith forwarded to Massachusetts Senators and Congressmen to the end that they exercise their influence to bring about approval for the allocation of these materials.

Coun. RUSSO—Mr. President, for seven and a half years I have presented various orders for the erection of this bathhouse and solarium in the West End section of Boston, for the benefit of the people not only of that section but for the entire population of the City of Boston. I have in mind that in my district 95 per cent of the individuals have no bathing facilities at home, and this district is one of the most congested districts throughout the city. Finally, about six years ago the George Robert White Fund Trustees agreed to the erection of a solarium and bathhouse to be erected at the Esplanade in the West End, realizing the necessity for it. We, the people of the district, have been very patiently waiting for the erection of this bathhouse and solarium and, due to our patriotism, realizing full well we were engaged in a war we had to win, we thought it wise to wait until such time as the war would be brought to a conclusion and to victory. Thanks to God, that has happened. It is now close onto two years, and the trustees of the White Fund have, time and time again, asked the officers of the Housing Expeditor to provide the necessary materials needed in order to proceed with the erection of this bathhouse and solarium, and lo and behold, each time we receive the same old baloney, that the materials are not available. Only today, Mr. President, George Driscoll, secretary of the George Robert White Fund, has given to me a letter which was received by the trustees of the White Fund from the Housing Expeditor, signed by Frank E. Raymond, District Construction Manager, and it states:

"Mr. James J. McCarthy, Manager,
George Robert White Fund,
45 City Hall, Boston, Mass.

Dear Sir,—The first of this week careful consideration was given to your application. Case 1-1-4419, for the construction of a public bathhouse and solarium on the Charles River Embankment, and I regret that under current conditions it was necessary to deny this application.

"In reviewing the case the applicants to residents in the North and West Ends of Boston were carefully weighed"—Mind you, carefully weighed—"against our standards for non-residential construction as published in Direction 3 to order VHP-1."

Whatever that is.

"Consideration also had to be given to the heavy impact on the housing program caused by the large amount of material required for the heating, lighting, and plumbing installations called for by this project, especially where the latter is a consequential feature of the proposed building. A steady deterioration in the steel and copper supply picture which has occurred over the past few months and which from all indications will continue for the next half year, emphasizes particularly the impact of this project on the housing program. It is these factors in the main which led to our adverse action and inability to establish the requisite essentiality for this case.

"It is also evident that the intended benefits from this project could not be realized this summer due to the fact that it will take at least a year to build the project. We feel under these circumstances no serious hardship"—

and I want to quote that again—

"no serious hardship will reflect upon the community should the project be deferred until later

in this year when the material supply picture may show a change for the better.

"I hope you will understand our sincere interest"

and I do hope it was sincere—

"in matters of public welfare as well as the position we must take in the light of the present over-all situation.

Sincerely yours,
F. E. RAYMOND,
District Construction Manager."

Mr. President, I am speaking and I would like to have attention, if possible.

President KELLY—Councilor Russo.

Coun. RUSSO—I am only wondering how sincere Mr. Raymond is, or his department is, in turning down this project which will benefit the health of the people in the district and save lives. I wonder if they have taken into consideration at this particular spot on the Charles river we have lost more than ten lives within a short period of time. I wonder if they take into consideration that, if they do not erect this project this year, two or more lives will be lost, of children or adults, and wouldn't that be sufficient for them to allow the release of the necessary materials which are needed in order to complete this project? I wonder if the telephone company or any other owners of large buildings which are being erected in the City of Boston and throughout the country are more vital than this particular project which means the safety of life and limb of our youth; whether it is more vital to them to allow other construction to proceed and to deny this project. I question his sincerity when he says within the last few months, maybe two months, there has been a deterioration of copper and so forth. Was that the same reason that it had been denied in the past? I am sure, Mr. President, that there is some loophole somewhere. His Honor the Mayor promised the people, Mr. President, some time ago that he would do everything within his power to see that this was erected for use in 1947. We, the people, took him at his word. I have been very patient, Mr. President, not to bore the Council time and time again with this. Realizing also that Mr. Curley was the Congressman from our district, I am asking his Honor the Mayor that a representative of the George Robert White Fund go to Washington and intercede to make it possible for that project to be started immediately. I am asking the Congressman of our district to get to work immediately and to put all the pressure that he possibly can to make sure that the erection of this project which is a vital necessity will be started immediately, and to ask, above all, the Senators of the State of Massachusetts that they should emphasize that this is one project that should be started. Mr. President, if anything should happen at that particular spot, I won't be responsible for their inaction and for not having this project built in time in order to save more lives. This is the same story over and over again. What are they doing with all the materials? Where is it going? What is Washington doing about it? What are the persons in our city doing about it in order to see that we get these materials? There is something wrong somewhere, if a project of this kind cannot be built, which is useful not only to the people of the district, as I said, but to the entire citizenry of our city, from the point of view of health and to eliminate perhaps delinquency which exists in the city. Our delinquency is due to the fact that most of our sections have not got proper facilities. How do they expect to reduce or eliminate delinquency when the children and the adults have not got proper facilities in homes, when the city cannot provide for them? Here we have a George Robert White Fund, a memorial to be erected in his name, to do good to the people, and it is being denied time and time again. I say to you, Mr. President, and to his Honor the Mayor and to the Congressmen and to the Senators that if they do not do anything immediately on this particular project, we will not only storm City Hall, but have a delegation go down to wait on the President of the United States and show him the necessity that is existing, the improvements needed in my district. We need this project, and we need it now. They have been giving us the same story time and time again, the same thing in so far as housing is concerned. Over six years and a half ago I had occasion to speak with Mr. Straus, who at the time was the Federal Housing Administrator in Washington, and he agreed with me that we need housing projects in

my district. Today they agree we need them, and still no one does anything about it. I do hope, Mr. President, the newspapers who gave publicity to his Honor the Mayor, when he promised we would have this project started in 1946 and that it would be completed in 1947, will take notice. I trust the order will pass under suspension of the rules.

The order was passed under suspension of the rules.

RENOVATION OF FIELD HOUSE,
ESPLANADE.

Coun. RUSSO offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to immediately proceed with the renovation of the field house on the Esplanade, Charles River Basin, in order that it be put in first-class condition.

Coun. RUSSO—Here is another project, Mr. President, that the people in my district have been patiently awaiting, and due to the fact that we were going to have the bathhouse and solarium built at the Esplanade, we kept quiet about this field house which has been closed for several years. I have taken this up with the Park Commissioner time and time again, and it is the same old story, that there is no money. Then, having in mind that they were going to start the immediate erection of this bathhouse and solarium which perhaps might eliminate the field house, although I feel that the field house should stay even if we get this other project started, they have taken out of the district every little facility that might be left for the benefit of the people. I do hope, Mr. President, that the Park Commissioner will seriously give this his utmost attention immediately. The boys and girls, whether they are playing in games of sport or not, do make very good use of the field house—that is, they did make use of the field house before it was closed. However, the same thing has happened there; during the war we could not get the necessary plumbing facilities and other things which were vitally needed. Having in mind that we were passing through a period such as never before had the country passed through, we had to do everything in the war effort. The war efforts are over, and let us do something for ourselves, for the people who bear the burden of payment. I trust, Mr. President, that he will heed my request, if not a demand, to do what I have just stated. I trust the order passes under suspension of the rules.

The order was passed under suspension of the rules.

TRAFFIC LIGHTS AT EASTERN WHARF
INTERSECTION.

Coun. RUSSO offered the following:

Ordered, That the Boston Traffic Commissioner be directed by his Honor the Mayor to immediately install traffic signal lights at the intersection of Atlantic avenue, Fleet street, and the Eastern Avenue Wharf.

Coun. RUSSO—Mr. President, over a year ago, since the Elevated structure on Atlantic avenue was taken down, we realize it has made Atlantic avenue and Commercial street a real thoroughfare, and what a thoroughfare it is. Our Long Island boat docks at Eastern Avenue Wharf at the intersection of Fleet street and Atlantic avenue, and time and time again when these individuals come in from Long Island and have to cross the street, it will take them at least a half hour, and when they do cross the street they cross with their hearts in their mouths hoping they will not be hit by any motor vehicle. I received a letter from Doctor Sacchetti, superintendent at the Long Island city hospital, commending me in my foresight in presenting that order. I have received now a letter from the Institutions Department, with a letter attached to that, a letter from Doctor Sacchetti, again asking the commissioner to do everything possible for the erection of these traffic lights. I had a talk with Mr. Desmond of the Traffic Department, and he has agreed with me that that is a very dangerous intersection and, as a matter of fact, he went further, he has agreed also that on Atlantic avenue and Commercial street there should be traffic lights at every intersection. I maintain, Mr. President, that if we are able to save the life of someone and to save the limbs of others we must erect these traffic lights. I have

not seen the report of the 19 lights which I understand the Traffic Commissioner is going to erect. However, I do hope and trust that this is one of them. Therefore, I move, Mr. President, that my order be sent to the Executive Committee, and that these letters be made a part of the public record. I believe that is where the order is pending, in Executive, and that we will have a hearing today. If I am not correct, the President will inform me.

President KELLY—If there is no objection, the letters will be included in the record, and the order is referred to the Executive Session.

The order was referred to the Executive Committee.

The letters presented by Councilor Russo were as follows:

City of Boston,
Institutions Department,
February 3, 1947.

Coun. Joseph Russo,
42A Green street, Boston, Mass.

Dear Councilor,—I am attaching a memo. which will be self-explanatory. Would you be kind enough to again present your order for stop lights? The fact that the South Ferry, the Institutions boats, and the Quincy Cold Storage traffic would be benefited should have favorable consideration.

Yours very truly,
G. FRANK McDONALD,
Commissioner.

December 31, 1946.

To G. Frank McDonald, Commissioner, Institutions Department.

From James V. Sacchetti, M. D., Medical Director, Long Island Hospital.

Subject: Traffic Lights.

You have made considerable progress in improving conditions pertaining to the approach to Eastern Avenue Wharf. The alterations to the wharf itself, the erection of an appropriate waiting room, and the placing of directional signs at the Atlantic avenue corner are all receiving favorable comments of gratification by the general public. I respectfully request your consideration and efforts with respect to one other matter.

As you well know, the intersection of Fleet street and Eastern Avenue Wharf on Commercial street is a very dangerous one. It is most unfortunate that our time schedules correspond to the busiest hours of traffic on that main route. About a year ago Councilor Russo of Ward 3 introduced an order in the City Council requesting that the Mayor have traffic signal lights installed in that area. This was rejected because of insufficient funds.

I believe, and I am certain that you will agree with me, that this matter requires utmost consideration and quick actions. Will you please see what can be done about it?

JAMES V. SACCHETTI, M. D.,
Medical Director.

REPORT OF COMMITTEE ON CON-
STABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

1. Report on appointments by the Mayor (referred April 14) of constables to serve without bond and without authority to serve civil process, for term ending April 30, 1948—recommending that appointments be confirmed.

The report was accepted, and the question came on confirmation of the appointments.

Coun. RUSSO—Mr. President, I have not seen the list of constables and I do hope the President will postpone the vote for the present until such time as I will be able to see it.

President KELLY—If the members desire, I will have the Clerk read the list.

Coun. RUSSO—That will be fine.

President KELLY—Councilor, are you looking for one particular name, or do you want the whole list? Were you looking for any particular name on there? Maybe we can simplify the matter.

Coun. RUSSO—Do you mean he may read the whole thing?

Coun. MUCHNICK—Mr. President, may I suggest that the list is incorporated in last week's minutes and is available to us in the book?

President KELLY—The list was incorporated in last week's minutes which are available to you

now on the desk. I will have the Clerk read the list if you so insist.

Coun. RUSSO—I can look at it here, only I want time to look it over.

President KELLY—We will give you time, we will suspend for that.

The question came on confirmation of the appointments. Committee, Councilors Lane and Muchnick. Whole number of ballots 12, years 10, nays 2, and the appointments were confirmed.

2. Report on appointments by the Mayor (referred April 14) of constables authorized to serve civil process upon filing of bond, for term of one year beginning with the first day of May, 1947—that appointments be confirmed.

The report was accepted, and the question came on confirmation. Committee, Councilors Kinsella and Coffey. Whole number of ballots 14, years 12, nays 2, and the appointments were confirmed.

3. Report on appointments by the Mayor (referred April 14) of minor officers paid by fees, for term of one year beginning with the first day of May, 1947—recommending that appointments be confirmed.

The report was accepted.

President KELLY—The question comes on the confirmation of the annual list of weighers.

Coun. MUCHNICK—Only on the weighers, Mr. President?

President KELLY—Only on the weighers, counselor.

The question came on confirmation. Committee, Councilors Sullivan and Bayley. Whole number of ballots 12, years 12, and the appointments were confirmed.

REQUESTED INCREASE FOR OLD AGE RECIPIENTS.

Coun. SULLIVAN offered the following:

Ordered, That his Honor the Mayor and the Overseers of the Public Welfare be requested to intercede with the State Department of Public Welfare in behalf of the old age recipients of the City of Boston for the purpose of obtaining for them a 25 per cent increase in their over-all budget.

Coun. SULLIVAN—Mr. President, I hope the Mayor and the Overseers of Public Welfare will take immediate action on this order because it seems everyone has received some form of pay raise in the last several years but those receiving old age assistance and I might say the members of the City Council. In all seriousness, Mr. President, the budget that the State Department sets up for persons receiving old age assistance is very measly in the allowance relative to the food item. Take an individual who buys all his meals in a restaurant. He receives \$39 a month for food allowance, or \$1.30 a day. You can imagine, Mr. President, a man eating three meals in a restaurant today for \$1.30. The result of such a small allowance for food has created a large number of these recipients being admitted to City Hospital for malnutrition. That same person eating three meals in a restaurant is allowed only \$17.30 a month for rent, or \$4 a week. Some of them have to pay \$5 or \$6.50 a week for room rent, and that extra money must be taken out of their food allowance of \$1.30 a day. When one eats one or more meals in his room, he is allowed a rental of \$19.50 a month, or \$4.50 a week. Those in an unfurnished apartment get an allowance that can go as high as \$25 a month, and with steam-heated apartments their rent allowance goes as high as \$32 a month, and the rent allowances have nothing to do with the food item in the City of Boston where some of them have to go into their food allowance to make up the difference in their rents. In the case of a man and wife living together, the husband is allowed \$19.50 a month for food and the wife is allowed \$17.88 a month for food, making a measly total of \$37.38 a month for two people to buy food. This amounts to, roughly, \$1.25 a day for food for two people. How do they expect people to live on the small sum they are giving them on the food allowance? The first increase they received was last November and it amounted to approximately, over-all, a 3 per cent increase, running from 50 cents to \$1.90 a month. Another item in their budget which they are allowed for is clothing, for the male \$5 and for the female \$6.95. Personal needs, \$1.30 for the male and 85 cents for the female. In household supplies, 20 cents a person; replacement, 85 cents per person. The medicine chest is 45 cents a month for one, and 20 cents a month for each one addi-

tional, and, if there are two additional, it only amounts to 40 cents a month more for medicine. Special needs, 65 cents a month. Those eating all their meals in their homes and paying a monthly rent are allowed the year round \$9.75 which will cover fuel, light, gas, and so forth. From October 15 to April 1, they are allowed an additional \$6.75 for fuel. These were reduced when they received their last check. The way the weather has been, this should have been continued at least for another month. I hope, Mr. President, the Mayor and the Overseers of Public Welfare will take immediate action on this order so that those persons receiving old age assistance will get a substantial increase so that they may live like human beings. I ask suspension of the rules and passage of the order.

The order was passed under suspension of the rules.

FLAGPOLE ON CLEVELAND CIRCLE ROTARY.

Coun. LANE offered the following:

Ordered, That the City Messenger be, and he hereby is, instructed to provide for the erection of a flagpole on the Rotary at Cleveland Circle, the expense of same to be charged to the City Council Appropriation for Flags, Ropes and Stakes.

Passed under suspension of the rules.

CONSTRUCTION OF WARD 17 PLAYGROUND.

Coun. KEENAN offered the following:

Ordered, That his Honor the Mayor be requested to take immediate action on the matter of constructing a playground on the lot of land which was taken by the Park Department for playground purposes at the junction of Washington street and Gallivan Boulevard in Ward 17.

Coun. KEENAN—Mr. President, this is a similar order to that I introduced before. I understand that the Park Department has taken over the land, and the Park Commissioner promised a playground would be built there in 1946, and according to the budget of 1947 his Honor the Mayor has asked that \$200,000 be put in the budget. It is the only piece of land in Ward 17 on which the playground can be built. There is not a playground in that vicinity. The boys and girls in the neighborhood have asked me to intercede for them in order to see that a playground is built. I am going to ask that the names of a number of children I have received be put in the record. There are over a hundred names, and I would like to incorporate this in the record of the Council. I ask suspension of rules and the passage of the order.

President KELLY—Counselor Keenan asks for suspension of the rules and passage of the order, and asks that the names be copied in the minutes. All those in favor say "aye," those opposed "no," it is ordered.

The order was passed under suspension of the rules.

OFFICE HOURS OF DEPARTMENTS.

Coun. HANNON offered the following:

In the Year Nineteen Hundred and Forty-seven. An Ordinance Concerning Office Hours of Departments.

Be it ordained by the City Council of Boston, as follows:

SECTION 1. Chapter three of the Revised Ordinances of 1925, as amended by chapter five of the ordinances of 1942, is hereby further amended by striking out section ten and inserting in place thereof the following:

Section 10. Every officer in charge of a department shall have an office open for the transaction of public business for not less than eight hours on every day except Saturdays, Sundays and legal holidays; provided that the health commissioner shall have an office open for the issuing of permits for burial and permits for the removal of dead bodies, from ten o'clock in the forenoon until twelve o'clock noon on every day in the year; and provided further that neither the city treasurer nor the city

collector shall be required to keep an office open to disburse or receive money after two o'clock p. m.

SECTION 2. This ordinance shall take effect on May 15, 1947.

Coun. HANNON—Mr. President, in order to expedite the passage of this ordinance which provides for a five-day week for city employees, I would like to move that this matter be sent to the Executive Committee.

President KELLY—Hearing no objection, the order is referred to the Executive Committee.

WARD 13 PLAYGROUND IMPROVEMENTS.

Coun. HANNON offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to make the necessary repairs and improvements to the playgrounds in Ward 13.

Passed under suspension of the rules.

ACCEPTANCE OF BRAEBURN ROAD, WARD 18.

Coun. CANTWELL 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 Braeburn road, Ward 18.

Passed under suspension of the rules.

President KELLY—At this time the Chair will appoint Councilor Sullivan as chairman of the Executive Session.

RECESS.

On motion of Councilor Hannon the Council voted at 3 p. m. to take a recess, subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 5 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of Jessie I. McCarthy (referred January 6) to be paid an annuity on account of death of her husband, John C. McCarthy, late member of the Police Department, recommending passage of accompanying order:

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws, an annuity of twelve hundred and sixty dollars be allowed and paid to Jessie I. McCarthy, widow of John C. McCarthy, a member of the Police Department who died on December 25, 1946, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Jessie I. McCarthy, 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, \$260 per annum;

Herbert William McCarthy, born August 3, 1932; provided, however, that if the widow remarries the annuity for the said child shall be \$520, during the remainder of the time aforesaid; the payments to date from December 25, 1946, 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) for rescission of loan order for \$5,000,000 for off-street parking passed October 18, 1946—recommending that same ought to pass.

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

Coun. KEENAN—Mr. President, how many votes does it need?

President KELLY—Fifteen votes, councilor.

Coun. KINSELLA—Mr. President, a point of order.

President KELLY—Councilor Kinsella, will you state your point of order?

Coun. KINSELLA—Does that 15 votes apply to the rescission?

President KELLY—A loan order to be rescinded has to be rescinded in the same manner it has passed, two thirds of the vote of the entire membership, in two readings.

Coun. MUCHNICK—Mr. President, in view of the fact that the actual count is not 15 members of the Council present, I move this lay over.

President KELLY—I am appealing for help.

Coun. MUCHNICK—In view of the fact that your appeal does not have much result, I move this be laid on the table.

Coun. SULLIVAN—Mr. President.

Coun. RUSSO—Mr. President.

President KELLY—I am sorry, there is no debate.

Coun. SULLIVAN—Mr. President, a point of information.

President KELLY—I am sorry, councilor. Councilor Muchnick moves it lay on the table. There is no debate on this. No debate, gentlemen.

Coun. RUSSO—Mr. President.

President KELLY—I am sorry, councilor, there are no points on anything.

Coun. RUSSO—I would like to clear up the record, Mr. President.

President KELLY—I am sorry, councilor. The motion to lay on the table is made, and there cannot be any talking on the motion.

Coun. KEENAN—Mr. President.

President KELLY—I am sorry, councilor, no points on anything. The question is laying this motion on the table. All those in favor say "aye," those opposed "no." It is not a vote.

Coun. MUCHNICK—I doubt the vote and ask for a roll call.

Coun. BAYLEY—I doubt the vote and ask for a roll call.

President KELLY—The vote has been doubted, and a roll call has been asked, and the Clerk will call the roll.

The motion to lay on the table was carried, yeas 10, nays 4:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Hannon, Kinsella, Lane, Linehan, Moriarty, Muchnick—10.

Nays—Councilors Keenan, Kelly, Russo, Sullivan—4.

Coun. SULLIVAN—Mr. President, is it in order to take that from the table and refer it back to the Executive Committee?

President KELLY—After intervening business, that motion is in order, councilor.

LOW INCOME HOUSING PROJECTS.

Coun. LINEHAN offered the following:

Whereas, The lack of housing in Boston and other sections of the country is the nation's No. 1 domestic problem and to remedy the situation the present Congress is now considering housing legislation; therefore, be it

Resolved, That the Boston City Council in meeting assembled records itself in favor of all legislation, such as the Taft-Wagner-Ellender Bill, in Congress, relative to the federal government cooperating with the city governments of the United States in removing blighted areas in our cities and building of low income housing projects; and further to record itself in favor of a bill in Congress permitting housing authorities throughout the United States to raise the limit as to the amount of money that can be spent on units in low income housing projects so that low income housing sites located in South Boston and Cathedral areas may have construction started thereon soon after Congress's approval; and further that copies of this resolution be forwarded to the Massachusetts Representatives in Congress and to the President of the United States.

Coun. LINEHAN—Mr. President, at the outset I want to say some parts of these orders have been filed within the past year.

Coun. MUCHNICK—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. MUCHNICK—A point of order.

President KELLY—State your point of order.

Coun. MUCHNICK—While I heartily agree with everything in the resolution, under our rules it should go to the Rules Committee.

Coun. LINEHAN—You can do that after I speak, Mr. President.

President KELLY—One minute, councilor. The Chair will rule in recent months we have passed loan orders for housing, and the Chair will rule it is in order. Councilor Linehan.

Coun. LINEHAN—I might say for the benefit of the gentleman from Ward 14 (Councilor Muchnick) he should have objected to some of them, and to some of them he could not very well object.

President KELLY—All right.

Coun. MUCHNICK—Mr. President, a point of order.

President KELLY—State your point of order, Councilor Muchnick.

Coun. MUCHNICK—I think the gentleman from Ward 7 (Councilor Linehan) should say things for the benefit of the entire Body and not for one councilor.

Coun. RUSSO—A point of order, Mr. President.

President KELLY—The Council will be in order. Councilor Russo, for what purpose?

Coun. RUSSO—I would like to call to your attention that the gentleman who spoke before was out of order.

President KELLY—That is right. The Council will be in order. Councilor Linehan.

Coun. LINEHAN—For the benefit of the gentleman from Ward 14 and others, I think if he will take a look at my orders filed with the Clerk, he will find two of them are positively in order to be debated on at this time—requests on the Boston Housing Authority relative to our \$10,000,000 loan issue which we appropriated. For his benefit, I have the right to speak on two orders. I was glad to read in the paper only recently, the Boston Post, that one of the leading writers for that paper, Robert L. Norton, gave a very clear picture of the housing situation as it exists today. The members of this Council have heard me from time to time and have probably gotten tired of listening to me relative to housing, but I am going to keep on talking about it because only this week, before I read this article, I was given to understand the American Legion had gone on record as against public housing. As a member of the American Legion, I have been going to different Posts of the American Legion and Veterans of Foreign Wars, and since then I have demanded the members of these different outfits have their different Posts go on record as in favor of public housing. I do this due to the fact that it seems to me all the unorganized veterans, not only of this city but unorganized veterans of the United States, do not seem to have any leadership relative to the housing conditions which they are faced with since they have come back to this country, in most cases back from foreign shores. Until such men as Robert L. Norton and others in the newspaper business feature articles calling the attention of the public to the terrible condition of housing in this country, there will not be very much done in Congress. As a matter of fact, the bet seems we will not get public housing in this session. I think that thought can be turned around if we can get enough publicity such as that put forth in the Boston Post in this particular instance, showing we have a terrible problem which has to be solved now and not five years from now. I will conclude, because it seems some of the members get tired and like to talk while I am talking. I hope all the orders are passed unanimously because they are all worthwhile orders.

Coun. RUSSO in the chair.

The resolve was passed under suspension of the rules.

VETERANS' HOUSING PROGRAM.

Coun. LINEHAN offered the following:

Ordered, That the Boston Housing Authority be requested through his Honor the Mayor to consider for occupancy of the one- and two-family homes that will be constructed from the \$10,000,000 Veterans' Housing Program in Boston of low income housing projects those tenants who are veterans and have received eviction notices due to increased income, so that other World War II veterans in the low income brackets may be placed in the low income housing projects in place of those veterans who will be transferred to the newly constructed one- and two-family houses.

Ordered, That the Boston Housing Authority be requested through his Honor the Mayor to consider the advisability of building six-room units out of the appropriated \$10,000,000 Boston Veterans' Housing Program. Said housing authority is requested to furnish a report to the City Council on this matter.

Coun. KINSELLA—Will the Chair ask that the second to the last order be reread? Not this last one, but the one before.

Chairman RUSSO—Will the Clerk read that order? (The order was read.)

Chairman RUSSO—Councilor Kinsella.

Coun. KINSELLA—Mr. President, I was under the impression that the newspapers carried a story a couple of months ago that some of the housing officials at Post Office square were revising their ceilings on incomes by as much as 20 per cent; in other words, the present low income three-room apartment in what we call the low rent projects is ceilinged at \$1,750 a year. In arriving at this amount, the Housing Authority takes the salary on the basis of 52 weeks, so that it is a gross income of \$35 a week 50 weeks of every year, and the other two weeks are considered to be normal vacation time and not computed in the ceiling on income. I certainly imagine others in this Council must have read what I read. To meet the new figures, because so many of them are on public employment, and to keep them from the embarrassing situation of being asked to get out because they are in excess, the Authority was going to increase the ceiling by as much as 20 per cent; in other words, the \$1,750 ceiling would be, with the 20 per cent increase, another \$350, making a total of \$2,100 ceiling for three rooms in low rental rather than, as I say, the amount that was \$1,750. My authority for the \$1,750 a year low rent three-room ceiling is contained in a letter I received from the Authority, signed by Mr. Millerick in October, 1945, when as a result of an order I filed here he sent me copies of the ceilings on income and the cost of services and shelter, and so far as I know, those figures have not been changed, or have they? If someone else in the Council knows the figures have changed so that the ceilings are raised on these low rent incomes, I would appreciate that information.

Coun. LINEHAN—Will the gentleman yield?

Coun. KINSELLA—I will be glad to.

Chairman RUSSO—Councilor Linehan.

Coun. LINEHAN—I might say the Housing Authority has been contemplating increasing the income as the gentleman from Charlestown said, but to my knowledge I don't know that they have done it up to now. Even so, I will give the reasons why I hope this order is passed.

Coun. KINSELLA—Mr. President, I was very much startled, to be truthful about it, to hear the contents of that order, that some of them were being ordered out because of excess income. I think that is inexcusable. I don't question the veracity of the gentleman who filed the order, but I am extremely amazed at the apparent truth that the order contains about somebody being ordered out. I would like to hear of the specific instances without names being mentioned.

Coun. LINEHAN—Mr. President, some months ago the Boston Housing Authority, if I remember correctly, as a result of the law, gave notice to hundreds of tenants throughout the different housing projects, which notified them they would have to be vacated. They have given those notices to I don't know how many, but there are many, many tenants throughout the different projects. Due to the fact that there is no available housing in Boston, the Boston Housing Authority up to now has not seen fit actually to evict the tenants but they have given the notice so that, if we come to a situation where we have available housing in Boston, these people will be in a position to be moved out without much delay; that is to say the necessary legal steps will have been taken, as I understand it. The Housing Authority said, "We won't move them out, but we will be in a position to move them out when we have available housing." I am repeating, but I am doing it for the benefit of the gentleman from Charlestown to clear the matter up. I think that is the situation relative to notices. The notices, I believe, have been received by hundreds; as a matter of fact, quite a few of the tenants have come to me quite excited about it, and I told them the Boston Housing is not going to move them out at this time, but when we have available housing, and God knows when that will be, they will move them out, which they have to do under the law. It permits a raise of 20 per cent income. All those over 20 per cent, and there are many in the projects getting over 20 per cent of what was the maximum, will have to get out. My thought in filing this order was this: There are thousands of veterans in Boston who cannot pay the \$45 and \$50 a month which will be required to lease a one- or two-family home when they are built

under our \$10,000,000 program. It has already been said the rental will average about \$45 a month. If we build some six-room apartments, which I hope we will do, so that we will not hamper birth control, they may charge more than \$45. So we have the situation where we have these people who have an excess income in the housing projects. Now I am speaking of veterans, but there are non-veterans, fellows we might be able to take care of around the City of Boston not under the Veterans' Housing Program; that is to say, rather than pitch the veterans out of the low income housing to nowhere, or into dilapidated areas, we can give a sort of preference to them to go into the one- or two-family homes because only veterans can move into those homes. The non-veterans over the income we cannot take care of, but they will have to do the best they can. I hope this clears up the situation as to why the order is filed. That is so we won't have the veterans now taken care of thrown out in the street but later on, as a result of some future move, move them into the 1,200 homes which I hope we will build before the year is out. It seems to me there will be some veterans who are now living in housing projects who will get out as a result of excess income and move into these one- and two-family homes so that other veterans getting \$40 a week or less income and who cannot afford to pay the \$45 a month rent will get a place. The apartments in the low income housing development will be vacated for these vets who cannot afford \$45 a month rent. I hope this clears up the situation with the gentleman from Charlestown. I am not trying to put anything over on the members. I think the order reads fairly clearly. If he still thinks it is not the proper type of order, I think I can clear it up if he is in doubt about it. I am not taking pot shots at anybody, I am simply looking in the future to try to take care of the greatest number of veterans possible, and that is the size of it. According to the thought in mind now in Washington, we won't have the low income housing; that is, at least, the prediction according to the reports I have read from Washington. Our only hope is to take care of those who will be moved out of these projects into one- and two-family homes, so that those who are not getting \$40 a week will go into the low income housing where they belong because they cannot pay \$45.

The orders were passed under suspension of the rules.

Coun. LINEHAN—Mr. President, I ask unanimous consent at this time to have the housing editorial written by Robert L. Norton inserted in the minutes under our orders for housing.

Chairman RUSSO—If there is no objection, it will be so inserted.

The editorial was as follows:

"HOUSING MAIN CRISIS IN U. S.

Gravest Domestic Problem in a Mess as High Costs Bar Veterans from Homes.

By Robert L. Norton.

"Washington, April 19—The housing situation in this country today is more than our chief domestic problem. It is a crisis. While Congress has been devoting its attention to tax reduction and labor legislation, actually no progress is being made in relieving desperate housing conditions, and the administration, too, is stalemated, chiefly because it lacks direction and authority from Congress.

"No other subject has had more discussion with less action. It's a sad mess all around. Mr. Truman protests against high prices but fails to call attention to the fact that construction costs are fantastic. This is caused by a combination of extortionate prices by material producers and restrictive practices on the part of the building trades. The net result of this condition is that where houses are being built the high costs have priced them out of the market. The anomaly of the situation is that despite the acute shortage many of these houses are lacking buyers.

"The large investor who normally would produce rental housing, which is so important today, is stopped by the high costs. He cannot foresee the possibility of recovering a fair return on his equity over a long term of years. Banks are also disturbed about sound loaning policies in a wildly inflated market. While the government stands ready to insure the huge loans that would be required, should there be a crash, and many think this is inevitable, the government would be left holding the bag.

Selfish Lobbies.

"The Capitol is full of lobbies, each intent upon its own selfish interest. Everybody seems to be well represented but the veterans and the millions of dispossessed families. The whole program is in the way of being hamstrung by builders, real estate speculators and organizations and construction labor unions. An ex-assistant Attorney General has recently pointed out that these selfish and expensive monopolies should be broken up before they wreck our housing prospects completely.

"In the meanwhile Congress is displaying lamentable ineptitude in permitting these interests to sabotage the program by failing to agree upon a definite plan of action. It has come to a point where even if the Taft-Ellender-Wagner bill became a law in this session, there is considerable doubt as to whether it would meet the immediate situation or produce the needed housing in 1947.

"Essentially this is a long range program and extremely important and necessary legislation providing for the construction of 10,000,000 public and private housing units at the rate of 1,000,000 units a year. It is difficult to understand the opposition to the Taft bill by private interests when most of the provisions of the legislation are intended to aid and encourage private enterprise.

"The opposition is centered mainly on provisions which provide for public housing. Not more than 4 or 5 per cent of the entire program would be devoted to the building of homes for low income families. The advantages of the Taft bill are many. For instance it would provide easier financing conditions for the small home owner and cooperative groups. In addition it provides for large investors, such as insurance companies, guaranteed returns on their investments.

"Perhaps the most important provision in the bill is that which permits the cities and towns to clear large areas of decadent land and redevelop them on a sound planning basis. This land would then be leased or sold to private investors for new housing and commercial developments. To accomplish this loans and subsidies would be provided by the federal government and the local community. Such a program would be of inestimable value to the cities in relieving them of the enormous burden of substandard areas. Frequently, as in the case of Boston, these slum areas produce in revenue only about one tenth of what it costs to service them with fire protection, police and utilities, parks, playgrounds and schools.

"Also, it would arrest the process of decentralization which has been disastrous to most of our cities and make them again desirable places in which to live.

None for Vets.

"Despite all the incentives and encouragement which this bill gives private enterprise by reducing substantially the cost and risk of financing private building, nevertheless the present inflated level of construction costs will make it next to impossible over the next two years to build any volume of reasonably decent homes for rent which will be within the reach of the average veteran.

"Even with the additional aid which would be provided by the Taft-Wagner-Ellender bill, few if any homes can be built at present costs to rent between \$30 and \$50 a month, and it is in this range the average veteran finds himself.

"A survey of veterans' housing needs conducted by the Bureau of the Census showed that 36 per cent of the veterans requiring rental housing can only afford rents in the \$30 to \$50 range on the basis of their current earnings.

"In other words, most of the veterans are caught between the limitations in the public housing portion of this bill which in effect would restrict occupancy of public housing to families of not over \$2,000 income even in the largest metropolitan areas, and the inflationary costs under which private enterprise must operate today.

Average Pay \$47.

"Again, according to the survey made by the Bureau of Census in the summer of 1946 for the National Housing Agency, the average income of the married veteran in the United States needing rental housing was \$47 a week. According to this same survey 14 per cent of the married veterans requiring rental housing must pay less than \$30

a month, and 56 per cent can only afford to pay rents between \$30 to \$50 a month.

"Private enterprise cannot produce and is not producing new housing at the rents needed to serve veterans and their families in these low income ranges.

"The number of permits issued by the Federal Housing Agency for construction of new houses from December 24, 1946, through March 7, 1947, was 130,115. Of those 16,615 were for rental housing. Of the 16,615 for rent in the entire country, only 3,403 were to rent for less than \$50 per month.

"These are some of the figures and arguments advanced by the able and personable Helen Gahagan Douglas of California in support of her more direct housing bill which is aimed to meet the emergency and supplement the Taft bill. Describing the situation in Los Angeles which the Congresswoman declares matched in every large city in the country, she says:

"It is not uncommon to learn of 12 people of mixed sexes sleeping in one bedroom. Nor is it uncommon to hear of parents occupying one bed with an adult son and daughter. Newspaper reports of young American veterans and their families living in chicken coops and rabbit hutches are not exaggerated one iota.

"The majority of the veterans applying for housing assistance at the local public housing offices throughout the country have made tiresome search for rental accommodations long before calling upon the agency for help. The failure of private enterprise to provide adequate rental units within the price range of the average veteran's family will force more of these veterans to appeal for shelter to government agencies.

Low Incomes.

"More than 59 per cent of the veterans who have applied for public housing have incomes of less than \$40 weekly. Incomes in some of the families surveyed are often supplemented by other employable persons in the group.

"The hard cold facts are simple to understand. Limited incomes, lack of adequate rental opportunities at prices these veterans can afford to pay are creating tremendous hardship. Hundreds of veterans' families have been forced to crowd in with relatives and friends.

"Health authorities have expressed much concern in the matter. Disease is on the upgrade. Juvenile delinquency and adult uneasiness because of housing problems are now fomenting added social disorders. Separated families in every area are increasing, divorcees are more frequently mentioned among our young veterans' families as a means to an end of family responsibility.

"This is the condition in which we find our veterans in one important community in the United States. Multiply it hundreds of times and you have the condition of veterans in the nation."

Seeks Big Loan.

"In collaboration with Senator Taylor of Idaho, Mrs. Douglas has submitted a bill which authorizes the federal government to make loans up to \$1,000,000,000 to local public housing agencies at a 2½ per cent interest rate and for terms up to 60 years.

"To bridge the gap between the \$30 to \$50 rents the bill proposes to authorize the federal government to make annual contributions up to 2 per cent of the projects' development cost. This would mean that with a building program of \$1,000,000,000 worth of veteran's housing there would be a maximum annual cost to the government of \$2,000,000. It is not proposed that the cost be continued over a longer period than 10 years. If acute housing conditions are relieved quickly the contributions may be needed only for a few years.

"The bill is frankly an emergency measure and would only be applicable in those areas where an acute shortage of housing exists. It would be confined to veterans and their families.

"The virtue of this measure is that it throws into high relief the desperate housing situation throughout the country, emphasizes that nothing is being done about it and the need for drastic action.

"It must be apparent that Congress cannot sit idly by and permit millions of families to live in tents, garages, stores, cabins, trailers, hotel rooms, and doubled up in one-family dwellings without inviting social disorder on a large scale.

"But this is the direction in which we are heading unless something is done to solve the biggest domestic headache in America today."

PURCHASE OF EASTERN AVENUE WHARF.

The following was received:

City of Boston,

Office of the Mayor, April 21, 1947.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Institutions Commissioner requesting that an appropriation of \$75,000 be made available for the purchase of Eastern Avenue Wharf. This wharf was leased to the city in 1853 for a term of 999 years at an annual rental of \$4,000. To date, the city has expended more than \$375,000 in rentals and, if the lease is permitted to run until it expires, an additional sum in excess of \$3,600,000 will have been expended. Ownership and title to the wharf can be secured at the present time for \$75,000, and it would appear to be sound business judgment to make this purchase at this time.

I am, therefore, forwarding herewith an order appropriating the sum of \$75,000 from the special account, Sales of City Property, for purchase of Eastern Avenue Wharf, and recommend immediate consideration and adoption by your Honorable Body.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Institutions Department, April 18, 1947.

Hon. James M. Curley,

Mayor of Boston.

Dear Mr. Mayor.—As you know, the M.V. "James Michael Curley" and the S.S. "Stephen O'Meara" operate under the supervision of the Institutions Commissioner and ply between Long Island and the mainland, and dock at the end of Eastern avenue. The city uses the wharf by virtue of a lease executed in 1853 which runs for a term of nine hundred and ninety-nine (999) years from April 30, 1853, and provides for the payment of an annual rental of four thousand dollars (\$4,000).

If the city should acquire absolute title to the property, which I have reason to believe could be done for about seventy-five thousand dollars (\$75,000), it would be relieved of the obligation to pay this excessively high rent.

I therefore respectfully request that the sum of seventy-five thousand dollars (\$75,000) be appropriated from any available source for the acquisition of an absolute title to the above-mentioned wharf and dock.

Respectfully yours,

G. FRANK McDONALD,
Commissioner.

Ordered, That under the provisions of section 63 of chapter 44 of the General Laws, the sum of seventy-five thousand dollars (\$75,000) be, and the same hereby is, appropriated from the special account, Sales of City Property, to be expended under the direction of the Institutions Commissioner for the acquisition of an absolute title to Eastern Avenue Wharf and the land appurtenant thereto, for the purpose of docking Institutional boats.

Referred to Committee on Appropriations.

HUNTINGTON AVENUE STREET CAR RESERVATION.

Coun. CAREY and CHASE offered the following:

Ordered, That his Honor the Mayor be requested to take up with the Boston Elevated trustees the matter of either widening the street car reservation 18 inches along Huntington avenue, from Opera place to Brigham Circle, or to remove it entirely for the protection of patrons who have to board and leave street cars along this route.

Coun. CAREY—Mr. President, I think the words in that order explain themselves. For many years what is looked upon as the street car reservation has been located on Huntington avenue. Since the subway extension was opened, the reservation now goes from Opera place to Brigham

Circle. We call it a reservation, but to no intent or purpose does it serve as a reservation. It is altogether too narrow. We have inside the city what you might call a street, now actually a highway, a state highway, along Huntington avenue. There are numerous motorists who traverse that highway who see that supposed-to-be reservation, and naturally believe that there is sufficient room for one who gets off the street cars to be protected from being hit by an automobile that goes along that highway. As a matter of fact, the reservation is altogether too narrow, and when the patron leaves the street car, he, in fact, steps right into Huntington avenue itself. I have watched for the last two weeks on numerous occasions this situation and it is with the grace of the good God himself that people are not killed or severely injured there every day in the week. Motor traffic is increasing on Huntington avenue, and something has to be done. When I ask that the reservation be eliminated, I do that in all seriousness because, if there is no reservation there, 99 out of 100 motorists as they see a street car stopping will also stop their automobile some feet from the rear end of that street car. As it now happens, when the street car stops, the vehicular traffic continues to speed through the street with great danger to life and limb of those people who leave the street cars. Something must be done, either widen the reservation by 18 inches on either side of Huntington avenue in order to provide proper protection for the people who leave the street cars or else get rid of the reservation altogether. I realize it will not be too easy to narrow up the lane for vehicular traffic on Huntington avenue, but we have to consider the people who must use those street cars. We have either to widen the reservation or get it

out entirely. I hope the Mayor will lose no time in taking the matter up with the Elevated officials. I ask the suspension of the rules and the passage of the order.

The order was passed under suspension of the rules.

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RETIREMENT ALLOWANCE OF
JOSEPH A. McMANUS.

Coun. HANNON offered the following:

Resolved, That the City Council of the City of Boston hereby favors the enactment of legislation to increase the retirement allowance of Joseph A. McManus, former probation officer, provided that such legislation contains a referendum to the Mayor and the City Council.

Passed under suspension of the rules.

— — — — —

TRAFFIC LIGHTS AT LA GRANGE AND
CENTRE STREETS.

Coun. BRYAN offered the following:

Ordered, That his Honor the Mayor direct the Traffic Commission to immediately arrange for the installation of traffic signal lights at the intersection of La Grange street and Centre street, West Roxbury.

Passed under suspension of the rules.

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Adjourned, on motion of Councilor Kinsella, at 5.30 p. m., to meet on Monday, April 28, 1947, at 2 p. m.



CITY OF BOSTON.

Proceedings of City Council.

Monday, April 28, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Hurley and Lane.

The meeting was opened with the salute to the Flag.

DISAPPROVAL OF RESOLUTION RE
PENSION OF JOSEPH McMANUS.

The following was received:

City of Boston,
Office of the Mayor, April 28, 1947.
To the City Council.

Gentlemen,—I return herewith without my signature and disapproved the resolution of your Honorable Body in favor of legislation to increase the pension of Joseph McManus, a probation officer, retired July 7, 1946. The reason advanced for asking the increase is that the salaries of probation officers were increased after his retirement. It seems unnecessary to comment on the unsoundness of such a proposition.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Coal for term ending April 30, 1948: Howard W. Colby, 8 Marion street, Roslindale, Mass.; Samuel Bloch, 39 Sea Foam avenue, Winthrop, Mass.; Miss Frances Jacobs, 82 Wayland street, Roxbury, Mass.

Weighers of Goods for term ending April 30, 1948: Thomas A. Curley, 353 West Second street, South Boston, Mass.; William E. Roberts, 51 Allen street, Arlington, Mass.; J. E. Henry, 34 Garden street, Boston, Mass.

Severally referred to Committee on Constables and Confirmations.

LANDSCAPING AT OLD HARBOR
VILLAGE.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Acting Executive Director of the Boston Housing Authority relative to your order of March 31, 1947, concerning landscaping at Old Harbor Village.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston Housing Authority,
April 17, 1947.

Hon. James M. Curley,
Mayor of Boston.

My dear Mayor Curley,—In reply to the City Council order dated March 31, 1947, relative to landscaping conditions at Old Harbor Village you are advised that the Boston Housing Authority applied to the Federal Public Housing Authority for the establishing of a budget to landscape that development. This request was dated August 9, 1946.

In the interim period, numerous conferences have been held with that agency by this Authority with the objective in mind of speeding action on this landscape work.

On April 7, 1947, the Boston Housing Authority approved a sketch submitted by the Federal Public Housing Authority of the work that in the opinion of the Federal Public Housing Authority would cover the needed work at Old Harbor

Village. A firm request was made at that time by this Authority that the Federal Public Housing Authority expedite its activities towards establishing a bid date for the work no later than May 15, 1947.

However, to date the Regional Office has not received authorization from its Washington Office for the establishing of a sum for the actual construction work necessary.

Very truly yours,
JEREMIAH F. SULLIVAN,
Acting Executive Director.

Placed on file.

BIDDERS ON PROPERTY AT
FORECLOSURE SALES.

The following was received:

City of Boston,
Office of the Mayor, April 15, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Corporation Counsel, concerning your order of March 3, 1947, with reference to prohibiting persons who had an interest in land or buildings foreclosed by the city from bidding for the purchase of the property at foreclosure sale.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Law Department, 11 Beacon Street,
Boston 3, April 14, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—You have transmitted to me the following order passed by the City Council on March 3, 1947:

"Ordered, That his Honor the Mayor be requested to direct the Corporation Counsel to prepare an ordinance which will prohibit anybody who has an interest in land, or building, which is foreclosed by the City, from bidding for the purchase of said property at foreclosure sale."

The sale of real estate acquired by the city through the foreclosure of tax titles is governed by St. 1943, c. 434, entitled "An Act Establishing in the City of Boston the Board of Real Estate Commissioners, and Setting Forth Its Powers and Duties," which (s. 8) expressly provides that it "shall apply to the City of Boston notwithstanding any provision of law, ordinance or by-law inconsistent herewith." Section 4 of that Act reads in part as follows:

"The chairman, acting on behalf of the city, may, subject to the restrictions hereinafter provided, let or lease real estate referred to in section two or any portion thereof, or interest therein. The chairman, acting on behalf of the city, subject to such restrictions, may also sell such real estate, or any portion thereof, or any interest therein, at public auction, first posting a notice thereof in two or more convenient and public places in the city at least 14 days before such sale. A similar notice shall be sent by registered mail to the person who was the owner of record immediately prior to the acquisition by the city of absolute title to such property, at least fourteen days before the sale."

As you will have observed, the act makes the chairman's power of sale subject to certain restrictions, but a limitation of the kind suggested is not included among them. Accordingly, the Act must be construed to prohibit any such limitation, for it is a familiar principle of statutory interpretation that the express mention of one matter excludes other similar matters not mentioned.

Spence, Bryson, Inc., v. China Products Company, 308 Mass. 81, 88.

Further, it is readily apparent that the proposed ordinance not only would conflict with the mandate in the statute that the property be sold "at public auction," but also would nullify one of the purposes underlying the explicit provision for notice to the former owner. Compare Parrota v. Hederson, 315 Mass. 416, 422.

Under the circumstances, I respectfully request to be excused from drafting the proposed ordinance.

Very truly yours,
JOSEPH SCOLFONETTI,
Corporation Counsel.

Placed on file.

RENOVATING OF VETERANS' MEMORIAL PLAQUES.

The following was received:

City of Boston,
Office of the Mayor, April 21, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Director of the Department of Veterans' Services, relative to your order of April 14, 1947, concerning the painting and renovating of all veterans' memorial plaques in the City of Boston prior to Memorial Day.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Department of Veterans' Services,
April 21, 1947.

J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I acknowledge receipt of your memorandum of April 16, 1947, with which you inclosed the City Council Order of April 14, 1947, requesting his Honor the Mayor to direct the Commissioner of Veterans' Services to paint and renovate all veterans' memorial plaques in the City of Boston prior to Memorial Day.

The painting and renovation of signs erected to designate squares named in honor of deceased war veterans is a function of the Public Works Department. I am informed that this work has been commenced and that it is expected that it will be completed by Memorial Day.

Respectfully
DAVID J. BRICKLEY, Director.

Placed on file.

SOUTH BOSTON MUNICIPAL BUILDING IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, April 17, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Superintendent of Public Buildings, relative to your order of April 7, 1947, concerning improvements in the South Boston Municipal Building Bath Department.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston
Public Buildings Department, April 16, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—Referring to order of Councilor Linchan and Councilor Scannell presented to and passed by the City Council on April 7, which provided for installing new flooring in shower sections, installing new fixtures and repairing plumbing in showers, repairing bubblers, electric fans, etc., and painting walls and ceilings in shower room, I would advise you that we believe a sufficient amount will be available from the Gymnasium Construction Loan to make the changes as outlined above.

I have taken this matter up with Mr. Charles J. Fox, City Auditor, and he advises me that the best procedure regarding this work would be to wait until A. Piotti & Son, the contractor, is through his work on the South Boston Gymnasium and to let out a new contract to do the work as outlined above.

Very truly,
JAMES E. SULLIVAN,
Superintendent of Public Buildings.

Placed on file.

TRAFFIC SIGNALS ON HUNTINGTON AVENUE.

The following was received:

City of Boston,
Office of the Mayor, April 28, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner, relative to your order of February 24, 1947, concerning the placing of traffic signals on Huntington avenue, at the intersection of Francis street, and also on Huntington avenue, between Wait street and Fenwood road, in Ward 10.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston Traffic Commission,
April 21, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—This is in reply to Council Order dated February 24, 1947, which reads as follows:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals on Huntington avenue, at the intersection of Francis street, and also on Huntington avenue, between Wait street and Fenwood road, in Ward 10.

This is one of the intersections where we plan to erect traffic signals as soon as cable becomes available, which, I understand, will be in about six months.

Respectfully yours,
LEO F. CURLEY, Commissioner.

Placed on file.

TRAFFIC LIGHTS AT BROWN AVENUE AND CUMMINS HIGHWAY.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner, relative to your order of February 10, 1947, concerning the installation of traffic lights at the intersection of Brown avenue and Cummins Highway, Ward 19.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston Traffic Commission,
April 23, 1947.

Hon. James M. Curley,
Mayor of Boston.

Honorable and Dear Sir,—In reply to Council Order dated February 10, 1947, which reads as follows:

Ordered, That the Boston Traffic Commission be requested, through his Honor the Mayor, to install traffic lights at the intersection of Brown avenue and Cummins Highway, Ward 19.

I personally viewed this intersection and as a result we are going to erect four additional warning signs in Cummins Highway which we hope will help temporarily. When and if materials become available this department hopes to signalize this intersection.

Respectfully submitted,
LEO F. CURLEY, Commissioner.

Placed on file.

APPROPRIATION FOR BOSTON HOUSING AUTHORITY.

The following was received:

City of Boston,
Office of the Mayor, April 28, 1947.
To the City Council.

Gentlemen,—I am in receipt of a request from the Boston Housing Authority that an appropriation of \$30,000 be made to be expended by the Authority under the provisions of section 26Q of chapter 121 of the General Laws as appearing in chapter 574 of the Acts of 1946. It is the purpose of the Authority, I am informed, to use this appropriation for the following purposes:

1. Preparation of data for new projects.
2. Research in and survey of housing conditions and needs in the city.
3. Annual administrative expenses.
4. The preparing of plans and the making of surveys and the like in connection with proposed projects.

It is my understanding that the administrative allotment made to the Authority by the Federal Government is inadequate to permit of the research and study to which this appropriation will be applied. In the light of the absolute need for the development of housing facilities, I feel it is desirable to make available to the Authority funds which will permit of the preparation and development of a program to alleviate the existing housing emergency. I recommend, therefore, adoption of the accompanying order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$30,000 be, and hereby is, appropriated, to be expended by the Boston Housing Authority, for the purposes of section 26Q of chapter 121 of the General Laws, said sum to be raised by taxes on the polls and estates in the City of Boston and that all orders heretofore passed by the City Council relating to appropriations, taxes and the interest thereon apply to the appropriations and taxes herein provided for.

Referred to the Committee on Appropriations.

LOAN FOR PURCHASE OF DEPARTMENTAL EQUIPMENT.

The following was received:

City of Boston,
Office of the Mayor, April 28, 1947.
To the City Council.

Gentlemen,—I am submitting herewith a loan order for departmental equipment in the sum of \$2,000,000 for the purchase of essential equipment in various city departments.

In preparation of the 1947 budget, requests for permanent equipment included in the budget estimates amounted to more than \$1,650,000 and, as the purchase of this equipment could be provided by borrowing, I eliminated such items in the budget.

The major portion of this loan will be used to purchase fire apparatus and motor vehicles for the Fire, Police, Park and Public Works Departments, and sterilizers and X-ray equipment for the City Hospital.

Although delivery of new fire apparatus ordered last year has been practically negligible, orders for additional apparatus must be placed as soon as possible so that further delay may be avoided. You well know, of course, that orders cannot be placed until funds are available. Delivery of the fire apparatus which will be purchased through this loan, in addition to the apparatus already on order, will complete the modernization of the Fire Department.

The Park, Police and Public Works Departments have been able to replace some motor equipment from the proceeds of the 1946 equipment loan, but still have considerable out-moded equipment which should be replaced, because the cost of keeping this equipment in repair far exceeds its value.

Expansion of the Radiology Department at the City Hospital will require the purchase of additional X-ray equipment. It is also planned to purchase sterilizers, needed to modernize the service rooms, as well as ambulances and other essential equipment such as refrigerators, wheel chairs, beds, tables, etc.

I recommend early consideration and adoption of this loan order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under the provisions of clause 9 of section 7 of chapter 44 of the General Laws, the sum of two million dollars (\$2,000,000) be, and hereby is, appropriated, to be expended by various departmental officials, under the direction of the Mayor, for costs of additional departmental equipment, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

LOAN FOR SEWER CONSTRUCTION.

The following was received:

City of Boston,
Office of the Mayor, April 28, 1947.
To the City Council.

Gentlemen,—The Commissioner of Public Works has submitted to me a request for loan authorization for the construction of sewers for sanitary and surface drainage purposes and for sewage disposal amounting to \$1,000,000.

Believing this to be necessary for the purposes outlined, I respectfully recommend to your Honorable Body the approval of the loan order herewith submitted.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
April 28, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—The amount of money remaining at the present time in the sewerage works loan is so low that we will not be able to carry out our program of sewer construction unless additional funds are provided.

I therefore respectfully request that your Honor ask the City Council to appropriate the sum of \$1,000,000 as a loan for sewerage works. The so-called down payment which is required under the provisions of section 5 of chapter 224 of the Acts of 1936, has been provided in the budget estimates of the Sewer Division for the current year.

Respectfully yours,

ROBERT P. CURLEY,
Commissioner of Public Works.

Ordered, That under the provisions of clause 1 of section 7 of chapter 44 of the General Laws and under the provisions of chapter 393 of the Acts of 1906, the sum of \$1,000,000 be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the construction of sewers for sanitary and surface drainage purposes and for sewage disposal, and that to meet said appropriation, the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to Committee on Finance.

LOAN FOR CONSTRUCTION OF PUBLIC WAYS.

The following was received:

City of Boston,
Office of the Mayor, April 28, 1947.
To the City Council.

Gentlemen,—The Commissioner of Public Works has submitted to me a request for loan authorization for the construction of public ways or permanent pavement amounting to \$2,000,000.

Believing this to be necessary for the purposes outlined, I respectfully recommend to your Honorable Body the approval of the loan order herewith submitted.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
April 28, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—This department is preparing its annual program of street construction and reconstruction work, and as the appropriation for the purpose in the loan known as Public Ways, Construction of, is practically exhausted (except for commitments which have been made for contracts now being completed), I am of the opinion that a new loan of \$2,000,000 should now be provided.

I therefore respectfully request that your Honor ask the City Council to make this amount of money available under the provisions of clause 5 of section 7 of chapter 44 of the General Laws, and under the provisions of chapter 393 of the Acts of 1946.

As a prerequisite in connection with this loan, the necessary down payment of money to be obtained by taxation—as required by section 5 of chapter 224 of the Acts of 1936—is included in the budget estimates of the Highway Division for the current year.

Respectfully yours,

ROBERT P. CURLEY,
Commissioner of Public Works.

Ordered, That under the provisions of clause 5 of section 7 of chapter 44 of the General Laws, and under the provisions of chapter 393 of the Acts of 1906, the sum of \$2,000,000 be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the construction of public ways or permanent pavement, and that, to meet said appropriation, the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

SUPPLEMENTARY BUDGET.

The following was received:

City of Boston,
Office of the Mayor, April 28, 1947.
To the City Council.
Gentlemen,—I submit herewith supplementary budget recommendations totaling \$909,500 for the following purposes:

CITY MAINTENANCE.

Fire Department.....	\$196,500
Hospital Department.....	350,000
Installations, alterations and repairs...	175,000
Institutions Department:	
Steamer "Stephen J. O'Meara".....	6,000
Eastern Avenue Wharf, repairs, etc....	5,000
Police Department.....	165,000
	<u>\$897,500</u>

COUNTY MAINTENANCE.

Registry of Deeds.....	12,000
Total.....	<u>\$909,500</u>

A brief explanation of these appropriations is given below.

Fire Department—\$196,500. This appropriation is necessary to provide for 100 additional firemen to maintain the operating efficiency of the Fire Force due to the granting of more liberal vacation privileges; to provide sufficient funds for laundering sheets, towels, pillow slips, etc., used in the dormitories of the fire stations; to provide for the purchase of tires because of the fact that present synthetic rubber tires are deteriorating faster than tires formerly in use; to provide uniforms for new men and officers required due to the 48-hour law now in effect; to provide sufficient funds for the purchase of gasoline due to the change to high octane and for gasoline and oil used for instruction of new men at the Navy Fire Training School in South Boston; to provide for building materials for the maintenance of 57 buildings and automobile parts used by department mechanics; and to provide for pensions of employees not included in the contributory system which, from present indications, will be greater than anticipated.

Hospital Department—\$350,000. To provide for the increased cost of printing of medical forms and stationery; to provide sufficient funds for the purchase of food because the anticipated reduction in food costs has not as yet materialized; to provide for fuel, the cost of which has increased with the April deliveries; to provide for the increased cost in cotton goods, supplies for dressings, medicines and streptomycin; and to provide for the increased cost of soap, soap powders, etc.

Hospital Department, Installations, Alterations and Repairs—\$175,000. To provide for cost of installations, plumbing work and architects' fees in connection with replacement of sterilizers throughout the hospital, and major alterations and repairs needed to recondition four buildings.

Institutions Department—Steamer "Stephen J. O'Meara"—\$6,000. To provide for emergency repairs as required by the United States Coast Guard Marine Inspectors. The original allowance of \$14,000 will not be sufficient to meet the cost of these repairs.

Institutions Department—Eastern Avenue Wharf, Repairs, Etc.—\$5,000. This amount was reduced by your Honorable Body in the original budget from \$35,000 to \$30,000. The lowest bid received was \$34,950. Therefore, this sum is necessary in order to proceed with the work.

Police Department—\$165,000. To provide for sufficient funds for the purchase of gasoline; and to provide for pensions of employees not included in the contributory system which, from present indications, will be greater than anticipated.

Registry of Deeds—\$12,000. To provide for the salary of a technical assistant established under the provisions of chapter 185, section 10(A) of the General Laws, and to rectify a miscalculation in the item of piece work copyist.

In connection with the above explanations I would like to call the attention of your Honorable Body to the fact that on March 24, 1947, I submitted a letter increasing the appropriations for uniforms for the Fire Department, for repairs to the steamer "Stephen J. O'Meara," of the Institutions Department, and for permanent employees in the Registry of Deeds, but as no action was

taken by your Honorable Body it is now necessary to resubmit these recommendations, which are included above.

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

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the respective sums of money specified in the schedules hereinafter set out be, and hereby are, appropriated for the purposes hereinafter specified, said sums to be raised by taxation on the polls and estates in the City of Boston, and that all orders heretofore or hereafter passed by the City Council relating to appropriations, taxes and the interest thereon, apply to the appropriations and taxes herein provided for.

CITY MAINTENANCE.

Fire Department.

A. Personal Service.....	\$40,000
1. Permanent Employees, \$40,000	
B. Contractual Services.....	2,500
18. Cleaning.....	\$2,500
C. Equipment.....	84,000
15. Tires, tubes and accessories.....	\$5,000
16. Wearing apparel.....	79,000
D. Supplies.....	10,000
11. Gasoline, oil and grease	\$10,000
E. Materials.....	10,000
1. Building.....	\$5,000
13. Miscellaneous.....	5,000
F. Special Items.....	50,000
7. Pensions and annuities, \$50,000	
	<u>\$196,500</u>

Hospital Department.

D. Supplies.....	\$350,000
1. Office.....	\$5,000
2. Food and ice.....	200,000
3. Fuel.....	35,000
5. Medical, surgical, laboratory.....	100,000
8. Laundry, cleaning, toilet.....	10,000
	<u>\$350,000</u>

Hospital Department—Installation, alterations and repairs..... \$175,000

Institutions Department.

Steamer "Stephen J. O'Meara."

B. Contractual Services.....	\$6,000
39. General repairs.....	\$6,000
Eastern Avenue Wharf, repairs, etc....	<u>\$5,000</u>

Police Department.

D. Supplies.....	\$5,000
11. Gasoline, oil and grease	\$5,000
F. Special Items.....	160,000
7. Pensions and annuities, \$160,000	
	<u>\$165,000</u>

COUNTY MAINTENANCE.

Registry of Deeds.

A. Personal Service.....	\$12,000
1. Permanent Employees, \$12,000	

RECAPITULATION.

City Maintenance.....	\$897,500
County Maintenance.....	12,000
Total.....	<u>\$909,500</u>

Referred to Committee on Appropriations.

PETITIONS REFERRED.

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

Claims.

Arthur M. Carroll, for compensation for damage to car by fire engine.

Michael V. Dailey, to be reimbursed as result of execution issued against him.

Lena DiBlasi, for compensation for damage to property at 8 Norman street, caused by water.

John F. Donovan, to be reimbursed as result of accident which occurred while in performance of duty.

Morris Goldstein, to be reimbursed as result of accident which occurred while in performance of duty.

Josephine A. Griffin, for compensation for injuries caused by an alleged defect at 209 Washington street.

Alexander McLaughlin, to be reimbursed as result of accident which occurred while in performance of duty.

Mercury Express, Inc., for compensation for damage to truck by city truck.

Mary F. O'Leary, for compensation for injuries caused by an alleged defect at 305 Congress street.

Ralph Pill Electric Supply Company, for compensation for damage to property at 95 Staniford street, caused by water.

U. S. Army, Camp Edwards, for refund on Sumner Tunnel tickets.

Irene Floyd, for refund on dog license paid twice.

PERMITS FOR CHILDREN TO APPEAR.

Petitions for children under 15 years of age to appear at places of public amusement were received as follows:

The Skating Club of Boston, 1240 Soldiers Field road, April 25, 26, and 27; Mary Campbell, Jordan Hall, June 9; Viola K. Breiding, Jordan Hall, June 10 and 11; Ruth M. McShane, Municipal Building, South Boston, June 12.

Permits granted under usual conditions.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of the following, having been duly approved by the City Treasurer, were received and approved by the Council:

Henry Atwood, James A. Canton, Sidney Cohen, Samuel Goldkrand, Mark H. Krafsur, Nathan Kravitsky, Frank A. Mitchell, Bert Oppenheim, Hector Palladino, Philip S. Phillips, Edward J. Rockett, William T. Ross, Joseph P. Schrank, Francis A. Slater, Clifford L. Smith.

SETTING CLOCK FOR DAYLIGHT SAVING TIME.

President KELLY—Councilor Kinsella.

Coun. KINSELLA—I rise to make a motion, Mr. President. I make a motion that the City Messenger see to it that the clock be brought up to Eastern Daylight Saving Time.

President KELLY—The motion is well received.

DEMOLITION OF ULYSSES S. GRANT SCHOOL, EAST BOSTON.

Coun. COFFEY offered the following:

Ordered, That the Superintendent of School Buildings be requested, through his Honor the Mayor, to plan for the immediate demolition of the Ulysses S. Grant School, East Boston.

Coun. COFFEY—Mr. President, I have introduced this order four times, starting about two years ago. The Ulysses S. Grant School is in a congested section of the East Boston district, and nearly all the traffic going to and from the horse and dog tracks goes by this section. I might add the school has been condemned and everything of value has been taken out of it and it is ready for the walls to cave in. If the school is taken down in the near future, we will have a natural playground of some 600 square yards for the children of this neighborhood to use. I hope the Mayor and the Real Estate Commission and the School Committee will get together in the immediate future on the question of tearing down the school, so that the children will have some place to play instead of in the streets.

The order was passed under suspension of the rules.

FULL-TIME CAPTAIN AT EAST BOSTON POLICE STATION.

Coun. COFFEY offered the following:

Ordered, That the Police Commissioner of the City of Boston be requested, through his Honor the Mayor, to send a full-time captain to the East Boston Police Station to serve in place of Captain Britt, who is giving most of his time to servicing the Suffolk Downs Race Track.

Coun. COFFEY—Mr. President, a week ago Friday the Suffolk Downs Race Track opened. The police captain in my district gets \$25 a day for working down at the Suffolk Downs race track, and on top of that he gets a \$1,000 bonus. A week ago Friday he was down at the race track with some 20 police officers from East Boston, and we had a holdup and kidnapping in that section. Everybody in greater Boston knows that one of the worst places to get out of after a holdup is East Boston. You either go through the tunnel or you have to go over a bridge, or you have to use the McClellan Highway. Within two minutes of the time a holdup occurs, all those places I have mentioned, the tunnel, the bridges and the Highway, could be completely roped off so that nobody could get out of the district. I say within two minutes of a holdup. Still, while our police captain was servicing Suffolk Downs, a private corporation, a businessman of the district who came out of the bank and stepped in his automobile was not only held up by two gunmen, but the two gunmen got in the car with him and took him out to Cambridge, kidnapped him and relieved him of the pay roll, and threw him out on the street. To my knowledge, nothing has happened to apprehend the two gunmen as yet. I think I have a good argument when I say East Boston was without a police captain. Only a few moments ago, down in the Mayor's office, I called the East Boston Police Station—that was before twelve o'clock—and I was told by the sergeant at the desk that the police captain was down in Suffolk Downs and he would not come back for the rest of the day. I say it is unfair for the taxpayers of Boston and especially for those in my district to be without a police captain.

If he is getting \$25 a day at Suffolk Downs, something should be done to stop his pay as a city employee. This is not the first time I have hollered about the police captain giving full time down there along with 20 other Boston police officers, all from my division. Those 20 police officers could be used better for traffic control to save children from being injured on crosswalks. The so-called raid squad is also down in East Boston and down at Suffolk Downs along with the police captain every day, and their only job down there is that, if Captain Ferrari points out some suspicious character, the East Boston police have to take that man and put him off the track. That is letting the bookies in East Boston run rampant while the captain and his raiding squad and the rest are servicing Suffolk Downs and not East Boston. I not only request, but demand, that we get a police captain in East Boston. If they don't want to give us a new police captain, they should put somebody over there in the place of Captain Britt, while he is giving his services to the Suffolk Downs Race Track. They don't need Boston police there. Captain Ferrari has a group of ushers who are ex-police officers, and besides, ex-state policemen out on pension, and, over all that, the state police are down at Suffolk Downs. That is another thing, why the state police are down at Suffolk Downs. That is a private enterprise, they are making plenty of money, and, if they want to hire ex-policemen, let them hire them, but I say no Boston policemen should be down there. They should be doing their duty for which they are paid. I call upon Police Commissioner Sullivan either to remove Captain Britt from our district and assign him to Suffolk Downs permanently, or at least give us a police captain to be on the job when Captain Britt is not on the job.

The order was passed under suspension of the rules.

PLAYGROUND FACILITIES FOR EAST BOSTON.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor see to it that the promised playground facilities be immediately erected in East Boston.

Coun. COFFEY—Mr. President, this is an order I have introduced here time and time again. Only a few months ago I had to storm City Hall to get the promised playground which the Legislature claimed we were going to get. The Legislature saw fit last year to appropriate \$1,300,000 to give us a stadium and swimming pool and other recreational facilities to take care of what the airport has taken away from us, but, up to today, nothing has happened. But they are building hangars over in the East Boston section right outside the homes of the people who have lived there for the last 50 years. I would like to know, because of the housing shortage, how the airlines can get all the steel and all the iron and all the lumber to build these hangars. I wish some of the members who have occasion to go to the airport would go there some day by Neptune road. It is only one month since they started the Northeastern hangar and a building to hold the general offices alongside the hangar. I wish you could see the steel and iron and lumber going into that project, and still nothing has been done to give us the recreational facilities they have promised us. I have taken this up with the Mayor before I came up here today, these two things, the tearing down of the Ulysses S. Grant School and the erection of the swimming pool, for which the money is appropriated and waiting to be spent, and the Mayor promised me he would get in touch with the Public Works Commissioner tomorrow and ask him why construction has not started on the recreational facilities which were promised to the people three years ago. I ask suspension of the rules and the passage of the order, and I hope I will get some action on this so that the stadium will be built and the swimming pool will be built before the summer is gone.

The order was passed under suspension of the rules.

ACCEPTANCE OF CHAPTER 100.

Coun. HANNON offered the following:

Ordered, That chapter 100 of the Acts of 1947, entitled "An Act Authorizing the Transfer of Certain Land in the Dorchester District of the City of Boston from the School Department to the Park Department of Said City" be, and hereby is, accepted.

Passed under suspension of the rules.

CLEANING OF STREETS ON SATURDAY NIGHTS.

Coun. RUSSO offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to consider the advisability of cleaning the streets of the city on Saturday nights so that the streets are clean on Sunday mornings.

Coun. RUSSO—Mr. President, I believe that you and other councilors have noticed, the same as I have, that every Sunday the streets of our city are not kept clean. I realize that the Commissioner is trying to do a good job, and has been doing a fairly good job, but still, I can't understand for the life of me why every day you will see the workers of the Sanitary Department pushing a broom and shovel, trying to keep the streets clean from Monday to Friday, and on Saturday, when we expect the streets to be clean for Sunday morning, we find the streets are really bad, all over Ward 3, at least. I notice that there, and I presume it is all over the city. Although I appreciate the fact that they clean the streets on other days, still, I feel they are cleaning the streets only for the automobiles. I believe the automobile has more privilege to park in clean streets, and the people are entitled to better looking streets and cleaner streets on Sundays when they are able to walk, due to the fact that the automobiles are not parked at the curb of our sidewalks. The matter may be that he may not have sufficient help in order to carry out this work, and it might also be that the individuals who do this work would like to get paid for the work, and they are entitled to get paid instead of receiving perhaps time off for the extra time put in. However, they clean the market section on Saturday nights, and on Sunday morning you don't see a soul down in the market section. But throughout the other streets in the entire city, they are not cleaned on Saturday night. I hope the Public Works Commissioner, Mr. President, will try to remedy the situation, to

see at least that things are kept clean on Sunday morning, which is the time when everyone goes to church, and that is the time that everyone is out of work, and that is the time these things are very, very noticeable. I hope the order will pass under suspension of the rules.

The order was passed under suspension of the rules.

TENANCY IN HOUSING PROJECTS.

Coun. KINSELLA and HANNON offered the following:

Ordered, That his Honor the Mayor be requested to consult with the Boston Housing Authority for the purpose of using all legal and official persuasion on those tenants of the Boston Housing Authority to vacate their quarters if they were not bona fide residents of the City of Boston on January 1, 1941, and to assign at once all such vacated apartments to needy, qualified veteran applicants who have families.

Coun. KINSELLA—Mr. President, several times in recent years I have filed an order worded very much the same as the order of today, seeking to cause vacancy in these apartments within the authority of the Boston Housing Authority, by tenants who did not live in Boston on January 1, 1941. If I were to show to the members of this Body the police lists of 1942, Mr. President, the faraway places listed as places of residence in 1941 in the 1942 book, it would amaze and confound many who think they have an idea of the distances from which people came to engage in war work in the Boston industrial area and who, as we were led to believe at the time, were granted emergency quarters in order that their skills and talents might be used in the prosecution of the war effort, but who, as we all predicted in those years, would remain in Boston at the expense of the more legitimate Boston families for whom these areas were built. A perusal of that book for as little as one minute will show you such faraway places as Oregon, Washington, New Mexico, and Arizona, and cities and states and towns in the Middle West, not to mention some near-by states, Maine, New Hampshire, Vermont, Rhode Island, and Connecticut. In addition, of course, there are the cities in Massachusetts outside of Boston. Originally, in order to get into the housing projects under the control of the City of Boston, one of the first qualifications that had to be established was that of residence. The rule always was an applicant, in order to become an applicant, had to live in the city for 12 months prior to the date of application. It is all very well to say that the people who came here from out-of-state places and out-of-city places were people who had a talent and a skill and a genius and accomplishment that could be used in the prosecution of the war, but counter to that is that, while they supplied services and abilities, they were well paid for that in return. The condition today has reached the point where people are no longer as demanding as they used to be; they are not even desperate any more, not the ones I talk to; they are tearful over the lack of prospect of getting into the Boston Housing Authority projects. About a year or so ago we had the Executive Director of the Housing Authority, Mr. Jeremiah Sullivan, and those who were present, I think, will remember as I do that Mr. Sullivan stated very clearly at that time that, out of 5,900 apartments in the control of the Boston Housing Authority, an average of 1 per cent a month was vacated, and of course immediately tenanted by those next in line, having qualified by the terms of the Boston Housing Authority regulations. So that at no given time do we have a large number of vacancies into which we can put the people for whom they were built. The style in recent years has been to call it preference, but not too much so. I think they deserve it, and I mean the veterans with children. We must have in the 5,900 apartments in the control of the Boston Housing Authority, by a conservative estimate, in my opinion from 1,500 to 2,000 families who did not reside in Boston on January 1, 1941. I have arbitrarily set the date at January 1, 1941, for this reason: Open war with Germany started on Sunday, December 7, 1941, at the time of the attack on Pearl Harbor. Within 24 to 48 hours, America had declared war on Germany, Japan, and, sometime in the following summer, on Italy. At once we had an influx of so-called skilled workers from other parts of the country. There is an amazing thing that has not been spoken of by anyone, and I suppose it is not the

function of the Housing Authority to explain it, and, if demanded, a successful explanation would have to come from the Federal government—why it was that young men and other men not so young who were in their fields of endeavor highly skilled and qualified and who lived in the Boston area were subject to the terms of the Selective Service Law and had to answer the call of the President and, oddly enough, men of the same age group from other parts of the country, men of the same age group, moved in and took jobs and took public housing. That is only a side thought that occurs to me, the principal thought today being that contained in the order. I don't think it is harsh, I don't think it is severe, and I don't think it is unfair, in spite of the present terrible condition in housing, that people be asked to vacate public properties they occupy, because originally one of the attractive features to the acceptance of the Federal act for local housing was that it was going to be made primarily in the interest of the slum and substandard clearance in different cities and towns for those which availed themselves of the terms of the National Housing Act. We wind up today, seven years later, in the instance of the Charlestown project, where, out of 1,149 apartments, several hundreds are occupied by people for whom they were never intended. If they were never intended for Charlestown people exclusively, and I don't agree they were, because they were intended exclusively for Boston residents, Boston, mind you—I am not being clamish or provincial about it because my interest in this case embraces the 22 wards of the City of Boston—we have today worthy young veterans who have settled down with ready-made families, because the record shows that in this last war a good many hundreds of thousands of married men with one to five or six children went into the service and so, of course, I characterize them as ready-made families, not to mention those young men who married during the war period or immediately after, or who are being married today. Since that is the perfectly normal, natural change in their lives, and since it has certain natural, normal consequences, it is up to the Boston City Council as the only agent to which they can appeal to make available to them places that should have been available to them as persons more qualified by long residence in Boston rather than to those who came in here and profited in the war effort, and profited by a temporary residence now permanent. It cannot very well be an argumentative or contentious subject because our first duty is to the people of Boston. And since Boston put into the armed services something in the neighborhood of 75,000 service men and women, only a mere handful of whom have been taken care of, I think it is our obligation, in spite of any hardship we may work on people who did not live in Boston as long as our veterans have lived, to see that they go back to the places whence they came. On one occasion, in speaking on this subject in a fit of intemperate language, I said things that were not kind, that were not charitable, and today, rather than to become wildly enthusiastic from my own remarks, I have tried to streamline them, I have tried to use moderation in my utterances. I don't condemn them for having come from other communities, but I do question their moral right to stay here when the only thing that brought them here was a war condition and war employment for which, as I said a few minutes ago, they were well paid. On another occasion, Mr. President, when I had reason to take my feet here on this subject, I received but one letter, apparently written by a woman. It was unsigned except for the tag line—"Non-Bostonian." I believe she called herself—and she took me mildly to task for the statements I made here and which were in part recorded in the next day's newspapers, but I tell you truly, Mr. President, that of thousands of people in Boston who must have fallen into the category in which that woman knew she fell, only one, one and one only, that lady, whoever she was, wrote me a letter mildly protesting my recommendation. It should not be too difficult to accept, as the moving influence in support of this order, that we are confronted with an opportunity to aid these fellows even to that little extent of a few hundred, possibly a couple of thousand, apartments, if it can be firmly established that they were not residents here by the police lists on January 1, 1941. If my memory is reliable, one of the answers that came back on an occasion when I filed a similar order was that, by government regulation or law, these people could not be asked to vacate, because they were, first, American

citizens, they were rent payers and they were taxpayers, and the only premise on which they could be removed would be if they became a nuisance in their conduct or because of malicious damage to the property, or because of failure to pay rent. I submit for your consideration, Mr. President, and through you to the gentlemen of the Body, that thousands of veteran applicants who are on file at 10 Post Office square and who have lived here prior to 1941 are also American citizens willing to be rent payers, and under any circumstances they are taxpayers. Their human rights, in my opinion, transcend the human rights of those who come from remote places, who not only accomplished the purpose of luxurious living during wartime at high wages, but who have stayed on here in Boston, those who do not have the long residence of the boys and girls brought up in this city, and who have benefited enormously from the transient move they made into the city. So I earnestly recommend to your Body, Mr. President, that they support this expressed view and go along with the terms of the order.

Coun. LINEHAN—Mr. President, I would like to agree with everything the gentleman from Charlestown has said relative to his order, but I realize there are certain difficulties which confront the Boston Housing Authority and which they cannot overcome. In South Boston we have the Old Colony project, which as a matter of fact is owned by the Federal government. It is not owned by the Boston Housing Authority, and in that particular project there are 900 families. The Federal government decides just what qualifications and what other standards shall be set up as to who shall be the tenants. I personally believe that the more people we can get to live in Boston the better off we are. I don't think it is a time to start saying, "You should get out of Boston." As one of the sponsors of the veterans' housing, I have been saying, "Let's keep people in Boston," and one way to do that is to provide shelter for people. If we don't have the shelter, naturally, the people will have to go elsewhere. The people the gentleman from Charlestown refers to include many different types of families. Many of the families he refers to who came here around January, 1941, or since then, are families who had some children serve in the armed forces of our country during the war, and I for one don't want to go on record to say that I want them ordered out of the housing projects, and that is what this order can do—that is to say, if we construe it literally, it means everybody, whether they have had boys and girls in the service or not. At least, I want to get up here today and say all those families who had boys and girls in the armed forces in the last war certainly should not be moved out of any project. This Council and the Boston Housing Authority can do absolutely nothing about the Old Colony project because that is owned by the Federal government. Old Harbor Village is not owned by the Boston Housing; it is leased from the Federal government. I believe most of the other projects are under the direct control of the Boston Housing Authority, and they may set up certain rules which they have authority to do. But, as to whether or not the Boston Housing Authority legally can say, "If you had not been a resident before January 1, 1941, you will have to get out," I personally don't think there is any legal authority for the Boston Housing Authority to make such a rule. The Boston Housing Authority has to get practically all its rules O. K.'d by the State Board of Housing and the Federal officials, anyhow. It does not seem right to me just to file a blanket order without excepting those families who had members who served in World War II. Let me remind the gentleman from Charlestown it is not too fantastic to say in the not too remote future we might have another war, and we might call upon a lot of trained workers to come back to work in Boston on certain different defense industries. The trouble is that everybody forgets we had a war, and still we are talking about a future war, and we should not forget everything the soldiers and sailors did during the war, and also what the war workers did. I like to believe that normally those who served in the armed forces helped during the war, but those who did work in the defense industries certainly also helped, though they received more money than the boys and girls who went into the service. Many of us went into the service because, well, we did not have much choice, and the workers in defense industries probably did the same thing—they went in there because they were requested to go in there. Now,

the Federal government did ask the workers to come to Boston at that time, and it offered them certain inducements, and one of them was not "We will supply housing until the war is over, and then we will kick you out of Boston." I think any citizen who is now a resident of Boston, and has been for at least a year, has a right to stay in the projects if they comply with all the rules and regulations set up to regulate the projects. As I said last week, there are many people now living in the projects who in the not too distant future, I hope, when the housing is available, will be moved out of the projects due to excessive income. The Boston Housing Authority has not any choice, when there is available housing, other than to move people out of the projects when the income is excessive. That will come in due course of time, and I hope as the result of a stimulation, which I hope will be a stimulant in the form of a recommendation made by His Excellency, Governor Bradford, of the Commonwealth, and on which I am going to file a resolution, along with the housing which I hope will be built out of the \$10,000,000 bond issue for veterans' housing. I sincerely hope the recommendation of the Council will be carried out which was filed and passed last week, which recommends that all those veterans who are living in the low income housing developments whose incomes are excessive shall be permitted to move out of the project in which they are paying low income rent into the one and two-family homes, so that it will leave room for the veterans' families which the gentleman from Charlestown is trying to take care of and which I believe everybody has been trying to take care of. I do know the gentlemen in this Chamber have not received much credit for this, but I like to keep on saying the councilors are the only ones who have done a blessed thing for veterans' housing in Boston. I don't say I am against the order of the gentleman from Charlestown, but I for one know a great many veterans and nonveterans living in the Old Colony project, and I don't know that I want to take the position of saying, "All you people who were war workers who came out of some other place than Boston around January 1, 1941, no longer can stay in the projects." I don't want to take that stand because, as I stated before, many families had two or three boys serving in the armed forces of our country, and they are now citizens of Boston, and I say we have to keep as many people living in Boston as we possibly can. The more we have, the more prosperous we will be. I sincerely hope before the year is out we will have much more available housing, not only for veterans but also nonveterans. I don't know whether to say I want to be recorded against this order, but probably I would be for it if it is amended to read — if the gentleman from Charlestown will agree — to except those families who have come into Boston and who had members of their family in the armed forces of our country. I might say at this time, if it is agreeable to the gentleman from Charlestown, that I would like to have the order referred to the Committee on Housing.

Coun. KEENAN—Mr. President.

Coun. LINEHAN—I make that in the form of a motion.

Coun. KEENAN—Mr. President, I want to congratulate the gentlemen from Charlestown and Dorchester (Councilors Kinsella and Hannon). I introduced a similar order October 22, 1945. At that time I was informed by the Federal Housing Authority they could not remove tenants in the so-called Federal housing projects taken for various defense workers. I maintain that the various tenants now living in the housing projects since the war have lived in Boston for five years and have become residents of the City of Boston. They have received various benefits given to the people of Boston, as long as they have lived here five years. I maintain, Mr. President, it is true the tenants in the housing projects have sons who have been in the armed forces, and I say leave them in there, but you take the families from Maine, New Hampshire, or Vermont, some who came in with a hammer and saw, so-called carpenters who have made a lot of money during the war and who had never seen bathtubs or hot water until they came to the housing projects— I say they should be removed and veterans of the City of Boston should be given preference.

Coun. KINSELLA—Mr. President, this, as I say, is not a contentious order. It has been discussed on a very high plane, but I would like to

remind the councilor from South Boston (Councilor Linehan) that I am in a kind of peculiar position in that I don't want to hurt any veteran presently staying there, but I would like to point out the registration for Selective Service took place, if I remember correctly, some time in 1940, and, under the Selective Service Act, the board where you registered was the board which maintained jurisdiction over you wherever you went until such time as the law was not in effect, which was recently. In other words, many of them came into Boston, having registered in their home towns, in Ohio, New York, Rhode Island, Connecticut, New Jersey, Pennsylvania, Wisconsin, Oregon, Michigan, Florida, and the rest of the states, so that when they went into the service they went in as of that board at which they registered in the city or town in which they lived. They were never added to the Boston boards. The figure of 75,000 is approximately a pure figure in that almost every last one was a bona fide resident of Boston; therefore, we have by that means, you might say, credit for 10 per cent of the total population having gone into the armed services. It would be nearer 30 or 40 per cent if we reduced the figure to men and women eligible by virtue of age and physical condition. Of course, Councilor Linehan raises a friendly point about certain items, and according to the will of the Body it may or may not be amended, but it is not, as I say, a contentious document; it is a matter of opinion as to whether an amendment would improve the main item, which, to repeat, although everyone now knows it, is to cause to be vacated those apartments occupied in low rent projects under the control of the Boston Housing Authority by people now residents but who were not living in Boston January 1, 1941, and in many instances, it can be said, they left habitable homes elsewhere. Whether or not they can go back to them is beside the point, but I do know this, I have reached the point where my patience is exhausted trying to explain to lifelong residents in my district that they cannot get in when they can tell me instance after instance after instance of people across the street who live in private houses, who tell me of people in housing projects, and I well know it to be the truth, who brag about what they left in Oregon or New York or Georgia or Alabama. We owe it to them, I believe, in view of the fact that Boston is going to be charged for any future expenses on the public housing. Through the instrumentality of Councilor Linehan this Body passed a \$10,000,000 loan order for the construction of about 1,200 veterans' homes. Doesn't it seem only fair, since we are going to pay the cost of them, that we have a right to set an arbitrary date at which the residents of the city qualify? What would happen if out of 1,200 residences half or more, or any substantial number of them, were occupied by people here only a few years and who came in to a windfall? What is to be said for that same number of persons, either great or small, who might normally go in if we have not restrictions? I am not ungrateful to the veteran or the war worker, both of whom made victory possible, but we are concerned now with taking care of local boys who went away and who came back to a condition not substantially different from the one they left, and, since housing is the primary need today, at least in a few hundred cases we can change it. It may be a heartless thing and a cruel thing to do, but it is more heartless and more cruel not to do it. Remember that when they left they left this city with a lifetime of living in it behind them, and, when they came back, this city by one means or another had developments which were already constructed and occupied. This city should have gone out of its way to protect the rights they left and to which they came back ostensibly after a period of absence of one to five years. I think we should give them that much more thought.

President KELLY—The question is on the motion to refer to the Committee on Housing, Councilor Madden.

Coun. MADDEN—Mr. President, while I have fond regard for the distinguished councilor from Ward 2 (Councilor Kinsella), I have not any idea what the actual motive is behind the order, and it seems rather absurd and ridiculous to me that we, as members of the City Council, should tell the Federal government or any branch of the Federal government how they are going to run any particular department. It is obvious people have been for many years getting into these housing projects through just plain politics.

They always have and always will, and we can yell our heads off, but, if somebody knows a Senator or a Congressman from other states, you can bet your life they will find a place to live. I don't quarrel with these people at all, but, Mr. President, I will tell you the fellow I do quarrel with, and that is our distinguished Mayor. A year ago we gave him \$10,000,000 to start veterans' housing. It is the most pressing problem we have today, because there are thousands and thousands, not only veterans but other young men and women who could not get into the service and who were forced by circumstances to live in with their in-laws. It is a deplorable condition, a condition that keeps getting worse and worse and worse. Two years ago when the Mayor was running for office—he was then Congressman—he had the slogan, "Curley Gets Things Done." Gets things done, my grandmother! He has been there two years, and I would like to see one single house. Mind you, I profess to be a great friend and admirer of the Mayor, but I can't understand his lethargy or the apparent lethargy of the brilliant young man on the hill, Governor Bradford. They move around slowly in that mansion at Jamaica Pond and the Governor's mansion in Cambridge, and they give lip service to the veterans and lip service to those who could not be veterans. "We feel sorry for you fellows." To hell with the sorry conditions. Get to work! Curley has \$10,000,000, and why doesn't he call in the A. F. of L. or call in some big contractor? There are any number of steam shovels available, and you can get all kinds of cement. Down through the South, those of you who have been privileged to travel there through the last few years have seen all sorts of housing projects. Nothing up here in the North—not a one. As I say, with all due respect to the motion of the distinguished councilor from Ward 2, I think it is high time we build a fire under the Mayor's chair and say, "When are you going to start veterans' bousing in Boston?" I think that is the biggest problem that we have today.

Coun. LINEHAN—Mr. President, I would like to advise the gentleman from Brighton that I think they are going to start on it this week.

Coun. CANTWELL—They are putting in cellars.

Coun. MADDEN—I am very happy to learn that. I am happy to learn the Mayor has started something in other sections. I think I will show him the map of Boston and show him Brighton is also a part of Boston and maybe induce him to build something in Brighton.

The order was referred to the Committee on Public Housing.

REPLACEMENT OF SIDEWALKS ON BEACON HILL.

Coun. BAYLEY offered the following:

Ordered, That the Public Works Commissioner be requested through his Honor the Mayor, to immediately discontinue the replacement of brick sidewalks by artificial stone or cement sidewalks on Beacon Hill, particularly on West Cedar street.

Coun. BAYLEY—Mr. President, a couple of weeks ago the Public Works Department started resurfacing streets on Beacon Hill, particularly West Cedar street, and, while doing that, they decided to replace the old brick sidewalks with cement, or artificial stone, sidewalks. Mr. President, this is a very historical section of Boston dating back to the old days when Boston was only a crossways. The residents of Beacon Hill are proud of their history and their brick sidewalks. I have not had so much protest in my existence in the Council as I have had on this matter.

Coun. MUCHNICK—Mr. President.

President KELLY—Councilor Muchnick, for what purpose does the gentleman arise?

Coun. MUCHNICK—Will the gentleman yield to a question?

Coun. BAYLEY—No.

President KELLY—I am sorry, councilor. He does not yield.

Coun. BAYLEY—The Beacon Hill Association had a special meeting on it, and there were two or three other meetings up on the hill, and the people of Beacon Hill, especially around West Cedar street, want to keep the brick sidewalks. They admit they may be uneven and the cement sidewalks may be more level, but they are proud of their history, and I agree with them. It will be a distinct detriment to the neighborhood if

these sidewalks are replaced by cement. It might have been a good idea to level them out, but the bricks have been carted away, and I am now informed by the contractor that they are going to use cement. If they want to put the cement down, it is all right, provided we can have the bricks on top. They very much want the brick sidewalks. There was an article in the Boston *Traveler* which stated the situation very well:

"Visitors to Beacon Hill often complain about the uneven brick sidewalks on our most famous slope. Hill residents, however, become as nimble as antelopes with the years and hardly ever notice the imperfections under their feet. But take those away, and there'd be trouble.

"Public Works Commissioner Curley is learning this truth. No denizen of the Hill, he has figured out with his experts that concrete sidewalks are better than brick, anyhow. That sound wave zooming into Beacon street is no traffic roar or hurricane. It is the rising protest of Beacon Hillites."

Mr. President, action is needed on this very quickly, because, if the cement is put down, I guess we won't get the brick sidewalks back. The Beacon Hill Improvement Association and many people on Beacon Hill have contacted me and asked that every effort be used to restore the brick sidewalks of which they are so proud and which are characteristic of the neighborhood, and not to put in artificial stone sidewalks. As taxpayers in Boston, I think they have a right to retain these sidewalks. They would prefer to have them, uneven as they are, rather than have them replaced. I have asked the Public Works Commissioner if he will not go to the Mayor to prevent the replacement of those sidewalks which have been for so long a part of the history of Beacon Hill.

Coun. RUSSO—Mr. President, I for one would like to come to the rescue of my colleague and say to the Public Works Commissioner we have many sidewalks in my district that have bricks and we are just as proud of our history in our section as the councilor from Ward 5 is of his section, but, although the North and West and South Ends of Boston are historical sections of our city, I would like to see this improvement. So, if the Public Works Commissioner would just let those sidewalks alone and attend first to the ones that need to have the replacement of concrete instead of the brick sidewalks which, as a matter of fact, are a hazard in walking, I think. I feel I could help the councilor to retain those sidewalks until such time as all the other sections of the city have had their sidewalks replaced by concrete, and then we will get back to the Back Bay.

Coun. MUCHNICK—Mr. President, it seems to me, before we pass on this one way or the other, that we ought to find out whether the concrete sidewalks cost more than the brick sidewalks and whether the upkeep of the concrete sidewalk is greater than the brick sidewalk, and what effect the change will have on the tax rate of the city. I therefore move that this go to the Executive Committee and that the Public Works Commissioner be asked to come down with cost sheets for both types of construction.

President KELLY—Councilor Muchnick makes a motion this be referred to the Executive Committee.

Coun. COOK—Mr. President, I think we ought to talk to the Public Works Commissioner. Certainly there are plenty of streets in the City of Boston which have brick sidewalks where we would be glad to send the bricks to Beacon Hill and get the cement instead. I hope we don't recommend, if there is cement, that we put bricks on top and give that section a strawberry shortcake effect. I would like to have the Public Works Commissioner come before us. Certainly, if he has removed the bricks, it would be cheaper to replace the bricks. As was said before, most of the councilors would be glad to give the bricks to be replaced by granolithic sidewalks. I hope it goes to the Executive Committee and that the Public Works Commissioner is consulted.

Coun. CHASE—I hope this matter does not go to the Executive Committee. I see no necessity for making the matter look ridiculous or factious. This is a simple request from the councilor from Ward 5, and it is a matter that is within the jurisdiction of the councilor from Ward 5, and I hope we as councilors pay him the courtesy he pays others who come before our Body. Apparently, sir, the people of Beacon Hill, his constituents,

desire the retention of brick sidewalks. Practically all the people using those sidewalks are Beacon Hill people, and I see no reason why the city should not allow these taxpayers to retain their sidewalks the way they desire. I hope, sir, the Council will pay the gentleman from Ward 5 the courtesy of going along with his order without referring the matter to Executive.

President KELLY—The question comes on referring this matter to the Executive Session, Councilor Cook.

Coun. COOK—In answer to the councilor, I might say everybody in the City of Boston is entitled to use the Beacon Hill section as his own. I am concerned with people falling and claims against the city due to uneven bricks more than I am in the historical significance of a section which thinks it is the only section that is historical. I could probably point out other sections in the city that have far better history than Beacon Hill. So far as argument is concerned, it is common courtesy for the councilors to respect each other's districts, but I would like to point out this district has been responsible for asking for many orders that affect not only the whole city streets but city government. I don't understand why, if the councilors want to interrogate the Public Works Commissioner, he cannot go there if it is a matter of 15 or 20 minutes. I don't think we are being discourteous to the councilor from the Back Bay. I hope the motion prevails.

Coun. COFFEY—Mr. President, the true picture has not come out on this as yet. What the residents up there fear—whether the gentleman agrees with me or the people from Beacon Hill agree with me or not does not mean a darned thing to me—is this: If they take away those brick sidewalks and put in concrete sidewalks, these people who have dogs and not children are going to be annoyed by roller skating. As far as I am concerned, give the kids the roller skates, and let them have concrete whether they want it or not.

President KELLY—The question comes on referring this matter to the Executive Committee. All those in favor say "aye," those opposed, "no." It is not a vote.

Coun. MUCHNICK—I doubt the vote and ask for a roll call.

President KELLY—Councilor Muchnick doubts the vote and asks for a roll call, and not having enough join him, the vote will stand. The question comes now on the passage of the order under suspension of the rules.

The order was passed under suspension of the rules.

ENDORSEMENT OF GOVERNOR'S VETERANS' EMERGENCY HOUSING PROGRAM.

Coun. LINEHAN offered the following:

Whereas, Governor Robert F. Bradford recently submitted to the State Legislature an eight-point program to meet the veterans' housing emergency, which, if adopted, will permit cities and towns to borrow \$120,000,000 beyond their debt limit for building houses, and the state would guarantee one half of any loss the communities might incur, limited to 10 per cent of the total; therefore, be it

Resolved, That the Boston City Council in meeting assembled does hereby recommend passage of said legislation; and further that copies of this resolution be sent to the Governor, President of the State Senate, Speaker of the House of Representatives, and to all of the Boston State Senators and Boston State Representatives.

Coun. LINEHAN—Mr. President, I move the Governor's middle initial be inserted in the order wherever required. It should be Robert F. Bradford. Mr. President, this is just to call the attention of the councilors to a recommendation made by His Excellency, Governor Bradford, during the past week relative to veterans' housing. I sincerely hope the recommendation by the Governor passes because, to my mind, it will be really the first step to speed veterans' housing. I also realize that he could have gone further and said reimburse the city for the entire loss the city might sustain in building veterans' housing; at least, they will give 50 per cent of any loss. That is to say, as a result of administering that particular development from the housing fund, if a city loses \$2,000,000, the state will reimburse \$1,000,000 out of the \$2,000,000—that is, up to 10 per cent of all the housing we build. For example, on \$10,000,000 they will reimburse us

10 per cent, \$1,000,000 that is, if it is 50 per cent of the total loss. To my mind, that is going to induce other cities and towns to get behind the housing program for veterans and start programs of their own so that these people the gentleman from Charlestown (Councilor Kinsella) wanted to move out of Boston might move back to some other city or town in Massachusetts which will have veterans' housing projects themselves. Veterans will go in there, and wherever the veterans move from will be left vacant for other people. At least, that is the way it seems to go as far as I am concerned. The only thing that bothers me is that it has taken a whole year for the State of Massachusetts finally to get going and actually to try to do something for the cities relative to furnishing some help to the cities. This is the first constructive step that the state government has actually taken to reimburse the cities putting in money they might lose relative to the construction of veterans' housing. I, as a Democrat, say to the Republicans of Beacon Hill, "Well done," and I sincerely hope his program is carried through, so that those veterans without homes in Massachusetts will benefit by it. I sincerely hope the order is passed at this time, due to the fact that the program is now before the Legislature, and, if this order is referred to Rules, it might be delayed to such an extent that the hearings will be held and our order won't get up there to be read to the members of the House of Representatives and to the Senate.

The resolution was passed under suspension of the rules.

PERMITS FOR REMOVAL AND TRANSPORTATION OF GARBAGE, ETC.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to grant an unlimited number of permits for the removal and transportation of garbage and other refuse through the streets of Boston under section 3 of chapter 6 of the Revised Ordinances of 1925 which was further amended and approved on December 27, 1946, by section 1 of chapter 11 of the Revised Ordinances of 1946.

Coun. SULLIVAN—Mr. President and gentlemen, this deals with the ordinance which was amended and passed by this Body last December increasing the cost per truck or trucks carrying refuse and garbage through the city streets in Boston from a fee of \$5 per truck to \$25 per truck. At that time when that order was passed by this Body, we were informed in the Executive Committee and on the floor of the Council that this was a means of bringing this type of work under the jurisdiction of the Public Works Department for better and more thorough supervision than had been before. The idea was to bring additional revenue into the City of Boston. It was brought to my attention last week by a young man who is in business and he is a veteran, and his two brothers are in business with him, and they are both veterans, that they have two trucks with which they do this type of work. They went to the Public Works Department last week and were informed they could not obtain one of these permits because the permits were limited to fifty, and no more. When we passed this ordinance here, it was understood that this was to be open to veterans and anyone else that sought these permits at the rate of \$25 per truck. As I understand it, men who have been in this business for years operating four or five trucks have been reduced down to one or two permits. This, gentlemen, is another means of deception by department heads, after we pass an ordinance here, to interpret it the way they feel like interpreting it. I know in this particular case, gentlemen, there was no question at any time when this ordinance was passed of our limiting these permits. Are they trying to create a monopoly for fifty and to leave the others out? They talk about the contractors, that the contractors are opposed to these individuals getting permits. The contractors are getting now over \$2,000,000 from the city, and when this \$2,000,000 was before this Body in the budget, not one word was mentioned relative to the commercial waste the contractors can pick up. Bear in mind, gentlemen, the fifty do not affect the contractors and their trucks as they don't have to pay the \$25 under this ordinance. I would like to quote from the Minutes of December 26, 1946,

when this ordinance was passed by this Body, and I would like to quote the gentleman from Ward 12 (Councillor Cook) who was chairman at that time of the Ordinance Committee, that his report was based on information that the Commissioner of Public Works has given that many truck owners, especially the veterans, were trying to get into this business. He has taken upon himself somewhere along the line after it left here to limit that number to fifty. I am asking now, Mr. President, that this order be referred to the Executive Committee and the Public Works Commissioner be sent for.

The order was referred to the Executive Committee.

GENERAL DECREASE OF 10 PER CENT IN CURRENT PRICES.

Coun. COFFEY offered the following:

Ordered, That the Boston Chamber of Commerce be requested, through his Honor the Mayor, to consider the advisability of advocating to the merchants of the City of Boston a general decrease of 10 per cent in current prices, and that the City of Boston refuse to do business with any merchant unless they have reduced their prices 10 per cent.

Coun. COFFEY—Mr. President, at the outset let me say the small city of Newburyport should be congratulated for the stand it has taken. I don't think I have to talk very long on this order, but the order requests the Mayor of Boston to get in touch with the Chamber of Commerce of Boston to ask the Chamber of Commerce which represents nearly all the merchants in Greater Boston—these merchants usually come under their control and also the control of the Better Business Bureau—for a general over-all 10 per cent cut on all merchandise sold within the city limits. Only recently the Chamber of Commerce went out of its way to have luncheon at one of the bigger hotels in Boston, and they claimed to the newspapers they had over one thousand in attendance. They had a gentleman from the City of Cincinnati who talked on Plan E for Boston, and the Chamber of Commerce claimed that if Plan E went into effect with a smaller Council and city manager the taxpayers of Boston would benefit. I say to the Chamber of Commerce if they are serious and butting into city politics as a Boston paper said in an editorial recently; if the Chamber of Commerce are serious and considerate of the people of Boston, then they will take the order up with the Mayor of Boston and ask all the merchants in the City of Boston for a 10 per cent reduction in prices. As everybody knows, prices are too high, and I don't know for the life of me how the average city employee or any other employee who has a small salary and has a large family can live. I think it is common sense and fair that this so-called Chamber of Commerce, protectors of the pocketbooks of the people of Boston, take action on this order and ask for a general 10 per cent cut in prices.

Coun. KEENAN—Mr. President, I had the pleasure last Saturday night to speak before the Codman Square merchants of my district. They held a meeting and every businessman in the district attended the meeting. They were trying to come to some point with regard to reducing the cost of living along the lines of food. During the past week, they informed me they sent two businessmen down to Newburyport to work on their plan, and they were informed by the merchants themselves it was a good idea but they were not getting cooperation from the wholesalers. One gentleman on the committee Saturday night said the 10 per cent markdown is only on merchandise in the store which they could not move. There is certain merchandise in stores with a certain price tag, sold not only in Massachusetts but throughout the country, and there can be no markdown on that. They were very much opposed to going along with the 10 per cent idea although they would be happy if the wholesalers would work in conjunction with them, to work out some plan so that the price of goods to the consumer could be reduced 10 per cent or even 15 or 20 per cent. They would be happy to do that, but they said all that was done in Newburyport was on certain merchandise put on various counters which were things they could not sell, but which were an attraction for the people of Newburyport.

Coun. COFFEY—That is a talking point if we bring the Chamber of Commerce into the picture;

the Chamber of Commerce are the wholesaler, not only in Boston but the State of Massachusetts. They are the big fellows behind the gun. They could ask the wholesalers to come down 10 per cent. Mr. President, suppose I start it off this way, by amending my order to read the City of Boston refusing to do business with anybody unless they come down 10 per cent on their prices. If we refuse to buy anything from anybody doing business with the city until they come down 10 per cent on prices, that will be a start. Let us ourselves start it.

President KELLY—Do you desire to have that added to the present order?

Coun. COFFEY—Yes.

President KELLY—The question is on the passage of the order.

The order was passed under suspension of the rules.

SALE OF LAND ON COMMONWEALTH AND CHESTNUT HILL AVENUES.

President KELLY—The Chair will call up No. 1 on the Calendar.

No. 1 on the Calendar was as follows:

1. Order for sale of land, Commonwealth and Chestnut Hill avenues, at public auction for upset price of \$110,000.

On March 31, 1947, the said order was read once and passed, yeas 22.

President KELLY—The Clerk will call the roll.

Coun. MUCHNICK—Mr. President, I wonder if I could find out from the City Clerk through you whether there have been any arrangements made for a change of the zoning or anything else, with reference to this land?

President KELLY—Not that the City Clerk knows.

Coun. MUCHNICK—Mr. President, under those circumstances, I move this go to the Executive Committee so that we can find out from the Law Department or the Board of Real Estate Commissioners or the Mayor's office what plans there are with reference to this. From what I have been able to gather in the past two or three weeks, this property as presently zoned would probably not bring \$110,000 at a sale, probably won't bring any price near it, and the chances are we will have another order coming in after this is not sold, at a cheaper price, or possibly after this is sold at public auction attempts will be made then to change the zoning into a commercial district from the present zoning regulations. It seems to me if these changes are going to take place, they should take place before the sale because then the property will have much greater value.

President KELLY—The question is on referring this matter to the Executive Committee.

The matter was referred to the Executive Committee.

RECESS.

On motion of Councillor Russo, the Council voted to take a recess at 3.35 p. m., subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 6.25 p. m.

IMPROVEMENTS FOR CAMP MCKAY.

Coun. HANNON offered the following:

Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to provide recreational facilities and an assembly hall at Camp McKay, Dorchester.

Passed under suspension of the rules.

ACCEPTANCE OF CERTAIN WARD 13 STREETS.

Coun. HANNON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct as a public highway Whitby terrace and Emrose terrace, Ward 13.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of Matthew C. Muliero (referred March 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 passage of accompanying order:

Ordered, That the sum of three hundred forty dollars (\$340) be allowed and paid to Matthew C. Muliero 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 on petition of Joseph Ruggiero (referred April 7) 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:

Ordered, That the sum of one thousand three hundred dollars (\$1,300) be allowed and paid to Joseph Ruggiero 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 on petition of James F. Mahoney, Sr. (referred April 14), 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 the accompanying order:

Ordered, That the sum of three hundred fifty dollars (\$350) be allowed and paid to James F. Mahoney, Sr., in reimbursement for amount of execution issued against him on account of his acts as operator of a motor truck belonging to the Fire Department, said sum to be charged to the Contingent Fund.

Report on petition of Bernard Hughes (referred April 14) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Park Department—recommending passage of accompanying order:

Ordered, That the sum of thirty-five dollars (\$35) be allowed and paid to Bernard Hughes in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Park Department, said sum to be charged to the Contingent Fund.

The reports were accepted, and the orders severally passed.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on ordinance (referred April 21) for Saturday closing of public offices—that same ought to pass.

The report was accepted, and the ordinance was passed.

2. Report on message of Mayor and order (referred April 7) for appropriation of \$14,500 for jail improvements—that same ought to pass.

The report was accepted, and the question came on the passage of the order. The order was passed, yeas 12, nays 0:

Yeas—Councilors Chase, Cook, Fish, Hannon, Keenan, Kelly, Linehan, McCormack, Moriarty, Russo, Scannell, Sullivan—12.

Nays—0.

3. Report on order (referred today) that Commissioner of Public Works grant an unlimited number of permits for removal and transportation of garbage and other refuse—that same ought to pass.

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

Coun. SULLIVAN—Mr. President, I am not going to take up any more of the time of the Council, so I am going to ask that this be laid on the table for one week.

The motion to lay on the table for one week was carried.

4. Report on message of the Mayor and order (referred April 14) for appropriation of \$10,000 for traffic signals—recommending that same ought to pass.

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

The order was passed, yeas 12, nays 0:

Yeas—Councilors Chase, Cook, Fish, Hannon, Keenan, Kelly, Linehan, McCormack, Moriarty, Russo, Scannell, Sullivan—12.

Nays—0.

5. Report on order (referred April 21) that Traffic Commission install traffic signal lights at intersection of Atlantic avenue, Fleet street and Eastern Avenue Wharf—that same ought to pass.

The report was accepted, and the order was passed.

Adjourned at 6.30 p. m., on motion of Councilor Russo, to meet on Monday, May 5, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 5, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY presiding. Absent, Councilors Bayley, Carey, Lane and Russo.

The meeting was opened with the salute to the flag.

Coun. HURLEY in the chair.

JURORS DRAWN.

Jurors were drawn, Councilor Kinsella presiding at the box in the absence of the Mayor, as follows:

Fifty-eight traverse jurors, Superior Criminal Court, to appear June 2, 1947:

James A. Kearney, Ward 1; Augustine Morella, Ward 1; Joseph C. Connolly, Ward 2; Frank J. Hyland, Ward 2; Patrick F. Reidy, Ward 2; Thomas Roche, Ward 2; Thomas F. Fahey, Ward 3; Francesco Fiore, Ward 3; Augustus P. Bennett, Ward 4; Matthew T. Glavin, Ward 4; Walter C. Jacobson, Ward 4; Daniel C. Keller, Ward 4; Arnold B. Rodgers, Ward 4; Leslie J. Rogers, Ward 4; Robert H. Wood, Ward 4; Arthur Hammond, Ward 5; Stanley Shady, Ward 5; Joseph Bedard, Ward 8; John J. Ross, Ward 8; William B. Weisenberger, Ward 10; J. Howard Grisdale, Ward 11; John F. McKennedy, Ward 11; Henry Center, Ward 12; Charles R. Small, Ward 13; Alfred Barron, Ward 14; Abraham Franklin, Ward 14; Izek Lister, Ward 14; Harry Lupo, Ward 14; Sanders Markowsky, Ward 14; Peter Brady, Ward 15; Earl G. Choate, Ward 15; Bernard J. Cunningham, Ward 15; William P. Kehoe, Ward 15; Charles J. Maretta, Ward 15; Thomas S. Reynolds, Ward 15; Herbert A. Jones, Ward 17; C. Cameron McKeil, Ward 17; John A. O'Hanley, Ward 17; George G. Rooney, Ward 17; John F. Smith, Ward 17; Everett S. Trefrey, Ward 17; Joseph M. Agio, Ward 18; Stanley J. Cross, Ward 18; Irving Kleinberg, Ward 18; James P. Hartel, Ward 19; Hugh McAuley, Ward 19; Charles Moore, Ward 19; Joseph E. Nolan, Ward 19; John F. Carey, Ward 20; Joseph V. Connelly, Ward 20; Robert J. Morey, Ward 20; Louis Arvedon, Ward 21; William R. Burnim, Ward 21; Samuel H. Lebow, Ward 21; William F. McCarthy, Ward 21; Max Shanfield, Ward 21; Michael Connolly, Ward 22; Albert L. Pherson, Ward 22.

One hundred thirteen traverse jurors, Superior Civil Court, to appear June 2, 1947:

William J. Austin, Ward 1; John G. Cain, Ward 1; Carl H. Lee, Ward 1; Joseph Martori, Ward 1; Alfred F. Silva, Ward 1; Michael Vigliaroli, Ward 1; David Wyse, Ward 1; George E. Brown, Ward 2; Thomas Tobin, Ward 2; Peter Champanis, Ward 3; Anthony DiPietro, Ward 3; Walter R. Finek, Ward 3; Andrew Ginewich, Ward 3; Myer Greenfield, Ward 3; Richard A. Koury, Ward 3; Meyer L. Miller, Ward 3; Coli F. Stavve, Ward 3; Frank O. Benet, Ward 4; Patrick P. Hickey, Ward 4; John J. Brown, Ward 5; Raymond H. E. Gargan, Ward 5; John L. Rebholtz, Ward 5; David Starr, Ward 5; Ross Whittier, Ward 5; George J. Brown, Ward 6; Arthur A. Cherry, Ward 6; Harold Matthews, Ward 6; James A. Brennan, Ward 7; Edward P. Calnan, Ward 7; Charles H. Clark, Ward 7; James Divers, Ward 7; Harold E. Miles, Ward 7; William A. Gittens, Ward 9; Michael P. Needham, Ward 9; Arthur J. Curley, Ward 10; John J. Doherty, Ward 10; Walter P. Hodgkins, Ward 10; Thomas Lydon, Ward 10; Francis E. O'Brien, Ward 10; Francis P. Noyes, Ward 11; Manuel Pierre, Ward 11; Mandell J. Segal, Ward 11; Barney Glazer, Ward 12; Max Goodman, Ward 12; Samuel R. Morgan, Ward 12; Barnett Rapaport, Ward 12; Jacob Weiner, Ward 12; Simon Wells, Ward 12; Percy M. Williams, Ward 12; Leland A. Woodsworth, Ward 12; Harold F. Burrell, Ward

13; John F. Cronin, Ward 13; Arthur B. Gordon, Ward 13; George W. Snow, Ward 13; Joseph Balkan, Ward 14; Joseph Block, Ward 14; Albert A. Coris, Ward 14; Martin Fisher, Ward 14; Abraham Fleitman, Ward 14; Edward Lerner, Ward 14; Joseph Pinkney, Ward 14; Myer Press, Ward 14; Alexander F. Sulkins, Ward 14; Charles D. Sullivan, Ward 14; William M. Swanson, Ward 14.

Thomas E. Doyle, Ward 15; Augustus J. Edge, Ward 15; Arthur H. Fuller, Ward 15; Benjamin H. F. O'Neil, Ward 15; John H. Driscoll, Ward 16; Timothy W. Garrity, Ward 16; James P. Graham, Ward 16; Francis W. Purcell, Ward 16; Thomas P. Scarry, Ward 16; John J. Vaughan, Ward 16; Charles M. Bouzane, Ward 17; Francis Burke, Ward 17; Leo J. Fahey, Ward 17; Hyman W. Fogel, Ward 17; John Ryan, Ward 17; Maurice J. Wiseman, Ward 17; John J. DeConte, Ward 18; Vincent J. Falcione, Ward 18; Edwin C. Katschker, Ward 18; Peter Muzyka, Ward 18; Samuel A. Myers, Ward 18; Edward Rose, Ward 18; Pasquale Antonio Sammartino, Ward 18; Eugene Schwender, Ward 18; Louis W. Coarr, Ward 19; Clement Dini, Ward 19; James H. Donoghue, Ward 19; Arthur F. Johnson, Ward 19; Andrew V. Nasson, Ward 19; Gordon A. Peters, Ward 19; John W. Thyne, Ward 19; Bernard Berringer, Ward 20; Joseph Francis Donnelly, Ward 20; William L. Fitzpatrick, Ward 20; Daniel W. Foley, Ward 20; Thomas Gilmore, Ward 20; Francis A. Guell, Ward 20; George W. Mallett, Ward 20; Andrew J. McCarthy, Ward 20; Leo G. Mueller, Ward 20; John F. Donohue, Jr., Ward 21; Benjamin Freedman, Ward 21; George M. Jackson, Ward 21; Henry E. Levin, Ward 21; Andrew J. Condon, Ward 22; William McNeice, Ward 22; Henry P. O'Connell, Ward 22; Alfred J. Welch, Ward 22.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Goods for term ending April 30, 1948: Reed Freeman, 9 Reservoir street, Hyde Park, Mass.; James Keane, 1 O'Reilly way, Charlestown, Mass.

Weighers of Coal for term ending April 30, 1948: Ida Zaks, 16 Nevada street, Winthrop, Mass.; Simon Canty, 6 Cook Street court, Charlestown, Mass.

Weigher of Beef for term ending April 30, 1948: William F. Callahan, 5 Waverly place, Brighton, Mass.

Constable for term ending April 30, 1948, authorized to serve civil process upon filing of bond: I. Joseph Mirkin, 33 Outlook road, Mattapan, Mass.

Severally referred to the Committee on Constatbles and Confrimations.

WHITBY AND EMROSE TERRACES,
WARD 13.

The following was received:

City of Boston,

Office of the Mayor, May 5, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of April 28, 1947, concerning the construction as a public highway of Whitby and Emrose terraces, Ward 13.

Respectfully,
JAMES M. CULLEY, Mayor.

City of Boston,
Public Works Department,
May 2, 1947.

J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Mr. Connors,—I return herewith order from the City Council, passed at its meeting of April 28, requesting the Commissioner of Public Works to construct as public highways, Whitby terrace and Emrose terrace, in Ward 13.

As neither of these streets is public, it would be necessary for the Board of Street Commissioners to accept them and order construction.

I assure you that if appropriate action is taken by that Board, this department will be pleased to proceed with constructing both of these ways.

Respectfully yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

PLAYGROUND IMPROVEMENTS, WARD 13.

The following was received:

City of Boston,
Office of the Mayor, April 29, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the chairman of the Park Department relative to your order of April 21, 1947, concerning the making of repairs and improvements to the playgrounds in Ward 13.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, April 25, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of April 23, with enclosure, order from the City Council for the necessary repairs and improvements to the playgrounds in Ward 13.

Please be assured this will get every attention just as soon as we can get to it. The men at the present time are trying to fix up all playgrounds in the city.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

TRAFFIC SIGNALS AT LA GRANGE AND CENTRE STREETS.

The following was received:

City of Boston,
Office of the Mayor, April 30, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of April 21, 1947, concerning the installation of traffic signal lights at the intersection of La Grange street and Centre street, West Roxbury, Mass.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Traffic Commission, April 25, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—This is in reply to the following Council order dated April 21, 1947:

"Ordered, That his Honor the Mayor direct the Traffic Commission to immediately arrange for the installation of traffic signal lights at the intersection of La Grange street and Centre street, West Roxbury."

At the present time this department finds itself in the position that it has neither funds nor availability of the necessary equipment to complete the many projects already planned.

It has been the policy of this department after considerable study to take care of those traffic situations which have been for the longest time a constant source of trouble to the general traffic problem in the City of Boston.

We feel that while there may be merit in the particular request submitted that we are unable to do anything at this time until we are able to take care of the more pressing needs of the traffic situation.

Very truly yours,
LEO F. CURLEY, Commissioner.

Placed on file.

RENAMING OF JUNCTIONS.

The following was received:

City of Boston,
Office of the Mayor, May 2, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Board of Street Commissioners relative to your order of February 24, 1947, requesting the consideration of naming the junc-

tion of Charter and Henchman streets after Isadore J. Aceardi; and the junction of Foster and Commercial streets after Carmine A. Dantone, both soldiers killed in World War II.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Street Laying-Out Department,
April 29, 1947.

J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—In accordance with your request of February 28, 1947, together with order of City Council passed February 24, 1947, a meeting was held by the Committee Memorializing Veterans on Monday, April 28, 1947, at which it was voted unanimously to name the following junctions in honor of the following veterans of World War II: Junction of Charter and Henchman streets to be known in the future as Isadore J. Aceardi square. Junction of Foster and Commercial streets to be known in the future as Carmine A. Dantone square.

Very truly yours,
L. W. COSTELLO, Secretary.

Placed on file.

RENOVATION OF FIELD HOUSE, CHARLES RIVER BASIN, ETC.

The following was received:

City of Boston,
Office of the Mayor, April 29, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the chairman of the Park Department relative to your order of April 21, 1947, concerning the renovation of the Field House, Charles River Basin, etc.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, April 25, 1947.

Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of April 23, with inclosure, order from the City Council requesting the Park Commissioner to proceed immediately with the renovation of the Field House, Charles River Basin, etc.

Please be informed that a contract has been awarded to an architect, Michael Dyer, to tear down this house (an old one) and build a new one on a little different site nearer the ball field—borings are now being taken and I think work will be started in the near future.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Elmer S. Boudreau, for compensation for damage to car caused by an alleged defect at 186 Orient avenue, East Boston.

Annabella Bowditch, for compensation for injuries caused by an alleged defect at 38 Park square.

Edward W. Davis, Jr., for compensation for damage to car by fire ladder truck.

John F. Hames, to be reimbursed as result of accident which occurred while in performance of duty.

George Huber, to be reimbursed for execution issued against him.

Mrs. Walter Jobn, for compensation for damage to clothing caused by paint in City Collector's office.

Joseph E. Lund, for compensation for damage to car caused by an alleged defect in Cambridge street.

Francis X. McCormick, to be reimbursed as result of accident which occurred while in performance of duty.

Thomas H. McHugh, to be reimbursed as result of accident which occurred while in performance of duty.

Thomas Murphy, for compensation for loss of clothing while patient at City Hospital.

Frank I. Neary, for compensation for loss of money at City Hospital.

Frank Novella, for compensation for damage to property at 25 Leverett street, caused by leak in water pipe.

Albert E. Preston, for compensation for damage to car by street sweeper.

Dominic Puliafico, for compensation for damage to property and injuries caused by automobile accident.

Jacob Rosenfield, for compensation for damage to property caused by an alleged defect in Columbus avenue.

Summer Tavern, Inc., for compensation for damage to property at 325 Summer street, caused by bursting of water main.

William E. Whidden, to be reimbursed as result of accident which occurred while in performance of duty.

Executive.

Petition of Mary A. Murphy to be paid annuity on account of death of her husband, John T. Murphy, late member of Fire Department.

PERMITS FOR CHILDREN.

Petitions for children under 15 years of age to appear at places of public amusements were received:

Edna Cora Johnson, Brown Hall, June 15.

Edith M. Leavis, Jordan Hall, June 30.

Permits granted, under usual conditions.

APPROVAL OF CONSTABLES' BONDS.

The City Treasurer, having duly approved the same, submitted the constables' bonds of the following, which were approved by the Council:

Samuel C. Baker, William J. Baker, Alfred Blaustein, George W. Brooker, John M. Crawford, America A. Desimone, Lewis Gilbert, Roland W. Golden, Meyer Goldstein, Max Kaplan, Bernie King, Bronis Kontrim, Maurice Levine, Frank J. Macehia, William P. Miles, Bernard M. Mullen, Louis H. Oppenheim, George N. Pierce, Jacob E. Schrank, Frank Shaw, Sidney Sheinfeld, Isaac Shulman, Joseph L. Shurtleff, Joseph Simansky, Henry J. D. Small, Jerome Suvall, Benjamin J. Tackeff, Roman J. Vasil, Sidney Williams.

APPOINTMENTS BY THE MAYOR.

Notices were received from the Mayor of the following appointments:

Isabel C. Connelly, 21 Gerald street, Brighton, Overseer of Public Welfare, for term ending April 30, 1950.

Dr. Martin J. English, 520 Commonwealth avenue, member of Board of Trustees of Boston City Hospital, for term ending April 30, 1952.

Benjamin Gargill, 205 Columbia road, Dorchester, member of Board of Examiners, for term ending April 30, 1950, *vice* Harry J. Greenblatt, term expired.

Thomas M. Gemelli, 36 Trapelo street, Brighton, Overseer of Public Welfare, for term ending April 30, 1950.

Simon Hecht, 373 Marlborough street, Overseer of Public Welfare, for term ending April 30, 1950, *vice* Eva Whiting White, term expired.

William F. Kessler, 38 Pinckney street, member of Board of Real Estate Commissioners, for term ending April 30, 1950.

Joseph Lee, 43 South Russell street, member of Board of Park Commissioners, for term ending April 30, 1950, *vice* Frank R. Kelly, term expired.

Rev. Robert Lord, 502 Washington street, Wellesley, member of Board of Trustees of Library Department, for term ending April 30, 1952.

James A. McLaney, 52 Greaton road, West Roxbury, member of Board of Appeal, for term ending April 30, 1952.

Joseph A. Mitchell, 43 Howitt road, West Roxbury, member of City Planning Board, for term ending April 30, 1952.

John F. Murphy, 53 State street, member of Board of Zoning Adjustment, for term ending April 30, 1952, *vice* Herbert G. Perry, term expired.

John T. Murray, 28 Moss Hill road, Jamaica Plain, member of Board of Transit Commissioners, for term ending April 30, 1950.

Frank T. Pedonti, 25 Billerica street, Veterans Graves Registration Officer, for term ending April 30, 1948.

Benjamin Spinoza, 138 St. James avenue, member of Board of Sinking Funds Commissioners, for term ending April 30, 1950.

John O. Stubbs, 36 Federal street, member of Board of Sinking Funds Commissioners, for term ending April 30, 1949.

Mary Evangeline Walker, 69 Bay State road, member of Art Commission, for term ending April 30, 1952.

Edward H. Willey, 701 Broadway, South Boston, Overseer of Public Welfare, for term ending April 30, 1950.

Severally placed on file.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of J. E. Henry (referred April 28) as weigher of goods—that same be confirmed.

Report on appointment of Thomas A. Curley (referred April 28) as weigher of goods—that same be confirmed.

Report on appointment of William E. Roberts (referred April 28) as weigher of goods—that same be confirmed.

Report on appointment of Miss Frances Jacobs (referred April 28) as weigher of coal—that same be confirmed.

Report on appointment of Howard W. Colby (referred April 28) as weigher of coal—that same be confirmed.

Report on appointment of Samuel Bloch (referred April 28) as weigher of coal—that same be confirmed.

The reports were accepted, and the question came on confirmation. Committee, Councilors Bryan and Coffey. Whole number of ballots cast 13, yeas 13, nays 0, and the appointments were confirmed.

PERMITS FOR TRANSPORTATION OF GARBAGE, ETC.

Coun. SULLIVAN—Mr. President, I move that No. 1 be taken from the table.

No. 1 on the Calendar was as follows:

1. Order for granting of unlimited number of permits for transportation of garbage and other refuse.

Chairman HURLEY—Councilor Sullivan calls for No. 1 on the Calendar. The question comes on the passage of the order.

Coun. SULLIVAN—Mr. President, last week we had this order before us in the Executive Committee and went into it at great length relative to the Public Works Commissioner setting a special number of this type of permits which could be granted under an ordinance which we passed here last December. Each member of the Body today received two letters from the Public Works Commissioner, and in reading the letters and also what he told us last Monday, it was the greatest piece of double talk I have ever heard. Just this past week the people on Beacon Hill were successful in having his mind changed through his Honor the Mayor, and I hope that this Body will be successful in having his mind changed again relative to the number of permits that are going to be granted. This ordinance on which he has set a limit was brought to us or sent to us by his Honor the Mayor at the Public Works Commissioner's request last December, and in quoting from the letter which he sent today, which was a copy of the letter which he sent to the Mayor last December 12, on page 2 he said: "It is evident from the large number of new requests for such permits which have been and are still being received by this department, in addition to applications for renewal of outstanding permits, that competition along this line has increased considerably, and I believe that the time has come when greater control should be exercised over this phase of rubbish removal. It is the intention of this department to set up a system of inspection to follow up this work by seeing that the transportation of rubbish does not cause litter to be strewn in the streets, and in that way we shall be able to eliminate many of the complaints received regarding dirty streets. The

present fee is \$5 per year for each vehicle, and if this fee were raised to \$25, not only would there be additional income for the city, but we would be in a position to establish the follow-up system I have mentioned, the expense of which would be paid for by the increase in fee." That is the one reason that we passed that ordinance, to bring additional revenue into the city, and last week upon questioning the Public Works head, he was asked how many men supervised this type of work, and he told us one. On further questioning, he informed us that that man received \$1,800 a year. In this letter, in the second letter he has sent, he tells us the man receives \$2,600 a year and not \$1,800. In the change of the ordinance, gentlemen, that we passed last December, we were led to believe in voting for that, that the city would derive some additional revenue, but instead of that it is costing the city \$1,600 this year over last year. He further made the statement that the contractors in their respective districts had a monopoly in their districts. I believe we should give the contractors an opportunity to appear before us and either deny or confirm such a statement. If these contractors have a monopoly, the contracts with these contractors should be declared null and void. For him to make such a statement and he being a respected department head, he should immediately cancel all these contracts, because several of the contractors have called me and told me he was lying when he made such a statement. I am going to ask that this order be referred back to the Executive Committee so that during the week another meeting can be held, and to ask the Commissioner of Public Works to be present before the committee with a list of those who have obtained these permits, and also a copy of the pay rolls of the contractors for the first three months of this year and the first three months of the year 1946, and also that some one from the Law Department will be present who will inform us whether he has a right as a department head, to set a limit on an ordinance which we passed which had no limit upon it when we passed it. I move now, Mr. President, that this order be referred to the Executive Committee.

The order was referred to the Executive Committee.

ACCEPTANCE OF CHAPTER 299.

Coun. KEENAN offered the following:

Ordered, That chapter 299 of the Acts of 1947, entitled "An Act further regulating the retirement of school teachers of the city of Boston," be, and hereby is, accepted.

Passed under suspension of the rules.

OPPOSITION TO SALES TAX.

Coun. KEENAN offered the following:

Resolved, That the City Council of the City of Boston, in meeting assembled, hereby opposes the imposition of a sales tax, for the fundamental reason that such a tax places upon those least able to pay an unfair, back-breaking burden at a time when inflationary prices on necessities of life are at their highest peak; and be it further

Resolved, That before a sales tax be imposed upon the people the question of its acceptance be placed upon the ballot so that those who will bear its burden may have opportunity to express approval or disapproval of its passage.

The resolution was referred to the Committee on Rules.

Coun. KEENAN—May I ask that the meeting be held this week and that some action be taken?

Chairman HURLEY—Yes, you can, counselor.

REPORT OF COMMITTEE ON APPROPRIATIONS.

Coun. FISH, for the Committee on Appropriations, submitted the following:

Report on message of Mayor and order for appropriation of \$30,000 (referred April 28) for Boston Housing Authority—recommending reference to the Executive Committee.

Report on message of Mayor and order (referred April 28) for supplementary budget of \$909,500—recommending reference to the Executive Committee.

Report on message of Mayor and order (referred April 28) appropriating \$75,000 for purchase of Eastern Avenue Wharf—recommending reference to the Executive Committee.

Coun. FISH—Mr. President, I recommend the appropriation orders before the Appropriations Committee be referred to the Executive Committee.

Chairman HURLEY—Counselor Fish moves the orders coming before the Body be referred to the Executive Committee today. Counselor Fish, are these orders in your committee now?

Coun. FISH—They are presently in the Appropriations Committee and the committee is pretty nearly unanimous in making reference to the Executive Committee.

Chairman HURLEY—The question is on taking from the Appropriations Committee and referring to Executive. All those in favor, say "aye," those opposed, "no"; the matters are referred to the Executive Committee.

RESCISSION OF LOAN FOR OFF-STREET PARKING.

Coun. MUCHNICK—Mr. President, I move that No. 2 be taken from the Calendar and acted on.

Chairman HURLEY—Counselor Muchnick makes a motion that the Body act on No. 2 on the Calendar. The question now comes on giving the order its first reading, and the Clerk will call the roll.

No. 2 on the Calendar was as follows:

2. Order to rescind loan order effective October 18, 1946, for loan of \$5,000,000 for off-street parking facilities.

The order was rejected, yeas 13, nays 2 (a two-thirds vote being necessary):

Yeas—Counselors Bryan, Cantwell, Coffey, Cook, Fish, Hannon, Hurley, Kinsella, Linchan, Madden, McCormack, Moriarty, Muchnick—13.

Nays—Counselors Chase, Keenan—2.

Present—Counselor Sullivan.

Chairman HURLEY—Thirteen in the affirmative and two in the negative, and the order is rejected.

Coun. MUCHNICK—I move reconsideration and ask that you ring the bell.

Chairman HURLEY—Counselor Muchnick moves reconsideration and asks the Chair to ring the bell. The question is on reconsideration.

Coun. CHASE—Mr. President, will you be good enough to have the Clerk read this order?

Chairman HURLEY—The Clerk will read the order.

(The order was read.)

Coun. CHASE—Mr. President, is there a message from the Mayor's office?

Chairman HURLEY—There was a message from the Mayor's office, and the Clerk will read the message.

(The message was read.)

Chairman HURLEY—The question is on reconsideration. Counselor Cook.

Coun. COOK—Mr. President, I would like to confine my remarks to the councilors who voted against this order. It seems to me the ones who did were against the original order in its entirety, and they had their reasons for it. However, I would like to point out to them that at present there are two \$5,000,000 loan orders that have been approved by the Council, one by failure to act and one by affirmative action, and, therefore, it is possible, with some of the legal rulings we have been getting, that the Mayor may be allowed to borrow \$10,000,000, and it seems to me that it is logical that these gentlemen should change their votes and pass this order, so that at least he will not have the opportunity of having an extra \$5,000,000.

Coun. KEENAN—Mr. President, a point of information.

Chairman HURLEY—State your point of information.

Coun. KEENAN—I would like to know how his Honor the Mayor would have \$10,000,000 if he wants to reject the first \$5,000,000. I would like to get an answer from the attorney.

Chairman HURLEY—Do you care to give the answer?

Coun. COOK—I don't know whether it would be legal. As I said, under some of the legal rulings we have been getting, it is entirely possible. If you will recall, we once passed a \$5,000,000 loan order by failure to reject it. Later on, a \$5,000,000

loan order was sent down because the ones who had been given the bonds were doubtful about the validity of the order. The Council the second time passed the \$5,000,000 loan order by an affirmative vote.

Chairman HURLEY—Address the Chair, councilor. Continue.

Coun. COOK—I think the second order was passed affirmatively by 15 votes and, if I am wrong, I would like to be corrected by the City Clerk.

Chairman HURLEY—The councilor is correct.

Coun. COOK—Therefore, the second order was passed affirmatively. The first order was passed by failure to act, and at the present time it is possible it may be declared legal for the Mayor to appropriate or get bonds in the sum of \$10,000,000 if the councilors who do not like the original \$5,000,000 insist on voting the same way. The possibility arises that the Mayor has power to borrow \$10,000,000.

Chairman HURLEY—Does that answer your question?

Coun. KEENAN—It does not. A point of further information, Mr. President.

Chairman HURLEY—State your point of information.

Coun. KEENAN—On the loan order from his Honor the Mayor, does the law specifically say it has to have two readings?—

Chairman HURLEY—That is right.

Coun. KEENAN—As I understand, the first \$5,000,000 loan order got one reading.

Chairman HURLEY—The first loan order got one reading, and the second reading went to the 60 days and automatically passed.

Coun. KEENAN—A further point of information.

Chairman HURLEY—State your point of information.

Coun. KEENAN—It was by default on the second reading. Did the order then go into effect?

Chairman HURLEY—We thought it did, but the bond counsel thought otherwise. That is why we acted on the second order quickly.

Coun. KEENAN—A further point of information. Where it did not get the second reading, the first \$5,000,000 would be out. It was not given two readings, was it, Mr. President?

Chairman HURLEY—In theory that is correct. Practically, it had to be corrected.

Coun. MUCHNICK—Mr. President, it is my understanding that the theory is not as you have just stated. As I understand, the Law Department did approve the first loan when it went through by default and, if it had been up to our Law Department, that would have been perfectly legal, but the counsel for the particular bonding company said it was not. If we were to go to some other bonding company that had other counsel, they might approve the legality of the method by which the first loan was granted, and Councilor Cook would be correct in saying we had \$10,000,000 outstanding.

Coun. CHASE—Mr. President.

Coun. KINSELLA—Mr. President.

Chairman HURLEY—Councilor Kinsella.

Coun. KINSELLA—A point of information.

Chairman HURLEY—State your point of information.

Coun. KINSELLA—Will the Clerk state through you that the Legislative Act provided an opening for a \$5,000,000 loan?

Chairman HURLEY—That is absolutely correct.

Coun. KINSELLA—Therefore, not even by technical means did we have two \$5,000,000 loans for the same purpose?

Chairman HURLEY—That is also correct.

Coun. KINSELLA—Therefore, there is no danger that we have two \$5,000,000 loans at any time for the same purpose under the same act?

Chairman HURLEY—There is no danger, but they want to take one of them off to make sure.

Coun. KINSELLA—A further point of information.

Chairman HURLEY—State your point of information.

Coun. KINSELLA—In view of the fact that the bond counsel refuses to accept the condition in the law, they have a right to refuse to accept because of the further fact that we took subsequent action on the same amount at other dates, and would that subsequent action cause a cancellation of the first order for practical purposes?

Chairman HURLEY—That is the logical presumption, but we don't know. We thought

we had Letter remove this from the books, and proceed with the valid \$5,000,000 order.

Coun. KINSELLA—On the motion.

Chairman HURLEY—Speaking on the motion, Councilor Kinsella.

Coun. KINSELLA—I hope reconsideration prevails, not so much because I am voting or have voted to pass the bond issue, because there is no favor involved here; it is a city-wide proposition. It is something we have listened to for several months, and we had some of the finest people in the city, some of the biggest taxpayers in the city, present at the hearings. Their business judgment is better than ours. The only judgment we had was what we did with our own vote. So that it might be said that we are not doing any favor for anybody by clearing the books of one item that appears to be legally on the books and paying the way for the acceptance of the same order under different conditions—double acceptance by the Council. In the interest of the whole city, I think it would be the part of wisdom for these gentlemen who voted against the order a few minutes ago to go along with it. The whole city is going to profit from it, and we have been led to believe that it will solve many of our traffic conditions. I don't see that there is any point in maintaining any vote against something that has already received approval from so many of us, all after extensive hearings. I would like to appeal to their sense of service to the city, but, after all, that still remains the choice of the members.

Coun. CHASE—Mr. President.

Chairman HURLEY—The question is on reconsideration. Councilor Chase.

Coun. CHASE—As I understand it, sir, the city government is limited to the power of only a \$5,000,000 loan, and the Council and the Mayor could go ahead and vote \$20,000,000 and yet they would be limited to \$5,000,000, since they are restricted by this legislative act. I see no fear of having performed an act which would permit his Honor the Mayor to go forth and involve \$10,000,000, because under the law he is restricted to \$5,000,000. However, Mr. President, in view of the fact that there are a number of councilors who do not thoroughly understand the proposition before them and since it involves apparently legal technicalities, I think it is only proper at this time that we lay the matter on the table and consult our Corporation Counsel as to the legal technicalities involved. So I move, sir, that this matter be laid on the table, and I hope you call the Corporation Counsel for legal advice.

Chairman HURLEY—Councilor Chase moves that the order be laid on the table.

Coun. MUCHNICK—Mr. President, a point of information.

Chairman HURLEY—No debate, councilor.

Coun. MUCHNICK—A point of order, Mr. President.

Chairman HURLEY—The question comes ——
Coun. MUCHNICK—A point of order, Mr. President.

Chairman HURLEY—State your point of order, councilor.

Coun. MUCHNICK—It seems to me a motion to lay a motion for reconsideration on the table is not in order.

Chairman HURLEY—The Chair will rule the motion is in order. The question is on laying it on the table. All those in favor say "aye," those opposed, "no." The yeas have it, and it is not laid on the table. The question now comes on reconsideration. All those in favor say "aye," those opposed, "no." The yeas have it, and reconsideration prevails. Now comes the passage of the order.

Coun. HANNON—Mr. President, I move the matter be returned to the table.

Chairman HURLEY—The motion is out of order because we have defeated an order to lay it on the table.

Coun. HANNON—A point of order.

Chairman HURLEY—State your point of order.

Coun. HANNON—The motion that was defeated was to lay reconsideration on the table.

Chairman HURLEY—The Chair did not understand that.

Coun. HANNON—The Chair could not understand otherwise, because the question being debated was reconsideration.

Chairman HURLEY—The question to lay on the table takes precedence over the motion for

reconsideration, and the Chair understood that the order was to be laid on the table.

Coun. HANNON—Mr. President, can the Chair be in error? The motion was to reconsider, and the motion made was to lay the motion of reconsideration on the table. How could the motion be made to lay it on the table when the matter under discussion was reconsideration?

Chairman HURLEY—Councillor Chase, what was your motion? What did you mean?

Coun. CHASE—My actual motion was to lay the full matter on the table.

Chairman HURLEY—To lay the order on the table?

Coun. CHASE—That is right.

Coun. HANNON—Mr. President, his motion was out of order. No matter what he intended, the matter under discussion was reconsideration. There was no motion to lay on the table because the motion had been defeated.

Chairman HURLEY—The motion to lay on the table is in order.

Coun. HANNON—Thank you.

Chairman HURLEY—Councillor, I will have to stick to my previous ruling, that Councillor Chase's order, the motion to lay on the table, was in order.

Coun. HANNON—What was he going to lay on the table?

Chairman HURLEY—The order.

Coun. HANNON—The order had been defeated, Mr. President. The order had been defeated. We were trying to reconsider it so as to revive it.

Chairman HURLEY—Councillor Hannon is correct.

Coun. HANNON—Thank you again.

Chairman HURLEY—The motion now is to lay on the table. All those in favor say "aye," those opposed, "no." The ayes have it. It is a vote, and so ordered.

The order to lay on the table was passed.

SUSPENSION OF BIDS RE RENTING OF TRUCKS.

Coun. SULLIVAN and COFFEY offered the following:

Ordered, That the Transit Department be requested, through his Honor the Mayor, to suspend their request for public bids pertaining to the renting of trucks, Rapid Transit Facilities, East Boston district, which has appeared in the last two editions of the *City Record*, in order that this work might be given to veterans at the prevailing rates governing this work.

Coun. SULLIVAN—Mr. President, the reason I introduced this order is to see if we cannot get them to withdraw the request for public bids relative to the use of trucks on the East Boston job. We have heard in the last five or six years that everything was going to be done for the returning veterans. You know, as well as I know, a large number of veterans have gone out and purchased trucks to go into business for themselves. A lot of them had their hearts set on obtaining some of the work in conjunction with the East Boston tunnel job. This request for bids by the Transit Department eliminates all veterans from participating in this work. This request for public bids demands that a deposit be left with the Transit Department, a check for \$5,000, which must accompany the bid, thereby eliminating all veterans from getting some of this work. I hope they will rescind their action, so that the veterans may get a shot at some of this work at the prevailing rates governing this type of work for their trucks, and I am going to ask that this order be referred to the Executive Committee, and that the City Messenger be requested to send for the Transit Commissioners to have them before us.

Chairman HURLEY—Councillor Kinsella, speaking on the motion.

Coun. KINSELLA—I would like to ask Councillor Sullivan a question, please.

Chairman HURLEY—Councillor Sullivan, Councillor Kinsella wishes to ask you a question.

Coun. KINSELLA—Mr. President, through you, the question is, does that amount of money Councillor Sullivan mentions oblige the concern making the bid to deposit it with each bid, or is it the amount of money to be deposited for each and every truck?

Coun. SULLIVAN—If I may answer the councillor, it is for each bid. A certified check must accompany each bid—a certified check for \$5,000.

Coun. KINSELLA—Mr. President, a point of information.

Chairman HURLEY—State your point of information.

Coun. KINSELLA—Then I understand a young man with one truck would have to deposit the same amount of money as a company that might have twenty?

Coun. SULLIVAN—That is right. Mr. President, I would assume, the way this request for bids is drawn up, that a man with one, two, three, four, or five trucks would not be able to bid on this type of job. He would have to have a fleet of trucks. Mr. President, may we further make the request that the City Messenger request the City Auditor to be present relative to this order?

Chairman HURLEY—Councillor Coffey.

Coun. COFFEY—Mr. President, in order to save time, may I have my name added to Councillor Sullivan's order? I have a similar order.

Chairman HURLEY—Councillor Coffey's name will be added to the order. The order is referred to the Executive Session.

The order was referred to the Executive Committee.

RECREATIONAL SUPERVISION.

Coun. LINEHAN offered the following:

Ordered, that his Honor, the Mayor request the Boston School Committee to replace the \$68,000 which the School Committee cut from the appropriation for the maintenance of the Boston school playgrounds so that the children of Boston will be provided with an adequately supervised playground program for this summer.

Coun. LINEHAN—Mr. President, during the recent controversy over the School Committee budget, his Honor the Mayor requested the School Committee to cut from that particular budget some \$600,000, and I believe the School Committee has gone to work and has gone through their list of appropriations, and has cut the \$600,000 out of the budget, but it kind of gripes me to notice when they start to eliminate items they once again start on the things which, to my mind, are very important, such as night schools for veterans and others. Some veterans are trying to make up back schooling by going to school nights, and they might find it difficult in the coming year to go to school due to the fact that they are going to eliminate night schools in certain areas. That is one of the items they have cut out. I understand it does not amount to an awful lot of money on any one of these items I am going to talk on, but the main item that gripes me is cutting out recreational facilities for children. God knows we have not got too much recreational facilities for the children of Boston at the present time since Mayor Kerrigan's program was cut the first of last year by the present Mayor of Boston, his Honor James Michael Curley, and there has not been much done since he eliminated the recreational budget for the benefit of the children of Boston. Some of us in this Council have tried to get the Mayor to appropriate just \$25,000 to kind of keep the Board of Recreation going, and I don't think that was even done. Here we have an item calling for, as I understand it, \$95,275 for the maintenance of the Boston school playgrounds during the spring and summer months. This item was cut \$68,000, leaving less than \$30,000 for our school playground programs for the children of Boston during the summer. Well, if we are going to get so picayune in saving something like \$68,000, which is a mere few cents on the tax rate, at the expense of the children of Boston, I think we have reduced ourselves to a new low in city government in this city. As I said at the outset, we are not doing very much for the children at the present time relative to recreational programs. I know the Park Commissioner is doing the best he can with what appropriation he has. He would like to do more, but he can't do it because of the lack of appropriation. In case we are too late for the School Committee to reconsider its recommendation or its action, it would seem to me perhaps the Mayor might submit an appropriation to us to replace that appropriation and turn it over to the Park Department for the Park Department to use in the school playgrounds. You might say the schoolyards can be opened up, anyhow, without supervision, but to my way of thinking, you don't

have very good playground activities without somebody there to supervise. It seems to me if the school children of Boston are going to get very much in recreation this summer, you have to have supervisors in the play yards. For over a period of something like 35 years, I read in one paper, we have had such an appropriation as this; since 1912. This is the first year the appropriation was cut to such an extent that there is only \$28,000 or \$30,000 left in the budget for the children of Boston to enjoy themselves in the playgrounds this year. I sincerely hope we are not too late on this recommendation. I realize it is in the hands of the School Committee to do it, and I don't know if it is too late for them now to rectify what I think was a mistake on their part in their effort to try to go along with his Honor the Mayor. I think they have eliminated some items that are going to hurt the children of Boston, not only the recreational program, as I said before, but night schools and summer schools which, for the amount of money spent, I think have given us value for value as the dollar goes; that is to say, on these items I notice particularly the taxpayer gets one dollar out of one dollar spent. There is very little, if any, truck or any other facilities; this is just for supervision to be spent on recreational supervision. I don't know why it is the items cut seem to be not items of equipment. I noticed only last week we got a request for I think it is almost another million dollars or so for equipment. To my mind, I think we can cut down on the equipment request, which is a bond issue, by the way. We can probably cut out a lot of the Mayor's recommendations of the \$900,000-odd supplementary budget, cut out equipment. I got a kick out of the Fire Department request. I think when we considered that program some months ago and when we appropriated that money into a bond issue, the city Fire Department was going to be A No. 1 throughout the United States, but, lo and behold, only last week they sent a request in for another million dollars or so for equipment. When are we going to be the A No. 1 city in the nation? If we had a million and again a million and again a million? When are we going to stop? I say for the few dollars invested in the children of Boston on playgrounds, summer schools and night schools, the School Committee has been remiss in their duty in not leaving the appropriations as they were. They should have cut down equipment and other things that are not as necessary as I think recreational education for boys and girls. I hope the Council will go along on this order. I ask that the order pass under suspension of the rules.

Coun. MUCHNICK—Mr. Chairman, I agree very heartily with the councilor from Ward 7. I have read these things in the papers. I have been wondering how come it was we had enough money with which to pay the salaries of voting machine wardens who do nothing, and did not have enough money to pay substitute teachers or recreation teachers to help take care of the children on the playgrounds. I know in the district which I happen to represent, there used to be recreational teachers down on Franklin Field, I think it was five days a week, taking care of particularly preschool-age children. They did a remarkably fine job in and around the wading pools and swings and seesaws. To me, it is practically a calamity to take money from this group and to waste it on voting machine custodians who do absolutely nothing. If it is too late at this stage of the game to return this money to the School Committee budget, I suggest these teachers be hired on a part-time basis during the summer by the Park Department and that at least the \$30,000 that goes to the voting machine custodians be transferred to the A-1 item of the Park Department to be used as salaries to take care of that important project.

Coun. COOK—Mr. Chairman, I agree heartily with what both the councilors have said. The councilor from Ward 14 has taken care of only \$30,000 of the \$68,000. I would like to point out to you, Mr. President, and to your Body that when the budget was up—of course, our budget and the School Committee budget are the determining factors in the tax rate, and a lower tax rate and a reasonable tax brings honor upon the Mayor, and a high one brings dishonor upon the Council—I moved at the hearing to take that \$30,000 from the election machine custodians and was defeated. I moved that \$40,000 be cut from Public Celebrations, but in its wisdom the Council said it would rather spend \$40,000 more for celebrations and entertainment. We also could take some money

we have appropriated for constables, and I moved that \$50,000 be taken over from 25 useless constables. We could also take some money from the department of the Mayor's office, where it was pointed out he is spending \$36,000 more than any other Mayor. If we want this \$68,000, I have pointed out a few of the many departments that are spending money for purposes which, compared to recreational facilities for children, cannot be put in the same class. I don't care how the Mayor feels about it, but I know we all care about what the kids are going to have during the summer. I suggest that this Council go on record as asking the Mayor not to spend those items I have mentioned in his own budget, Public Celebrations, in the Election Department, on constables and in his own office. I think the city and the Mayor will be far better off for it.

Coun. COFFEY—May I have the order read again, please?

Chairman HURLEY—The Clerk will read the order.

(The order is read.)

Coun. COFFEY—Mr. President, I thought that was what the order read, but I wanted to make sure. I can't understand the last councilor's speech. When we refused to cut those items from the budget, I was one of those who voted for it, for the budget as it was before us. I would still refuse to cut those items mentioned by the last speaker. We had no knowledge up to that time that the School Committee was going to cut \$68,000 from their budget on recreation. I was one of those who voted for a number of years to oppose the Recreational Board, and the reason I fought so hard in opposing it was because the Park Commissioner, Park Commissioner Long, opposed it, saying he had enough supervisors to take care of the playgrounds within the city limits. Also, I remember distinctly Joe McKenney stating there was plenty of supervision provided by the School Department, and they did not need this board. I recall the day I brought some 300 children from East Boston into the Mayor's office. It was all cut and dried before I got into that office, and it was agreed by everybody who has any say in recreation for the City of Boston that they were going to enlarge the stadium in South Boston and they were not going to give East Boston the stadium they promised us and for which there had already been appropriated \$1,300,000 by the state. Will you ask the councilor from Ward 14 to sit down, please?

Chairman HURLEY—The Council will be in order, please.

Coun. COFFEY—I recall very distinctly walking into the Mayor's office and seeing Joe McKenney from the School Committee and all the School Committee members and others who were supposed to represent the children of Boston as far as recreation is concerned, and it was all cut and dried that they were not going to build a stadium in East Boston but they were going to enlarge the stadium in South Boston even though, Mr. President, that money had been appropriated by the state and was not going to cost the City of Boston one penny to build a stadium that would seat 15,000 or 20,000 so that all the school teams in Boston Proper could use that stadium for their games, both night and day. They even provided lights for us. That was good legislation. The money came from the state, not the city. When his Honor the Mayor said to me, "We are not going to build the stadium in East Boston, we will try to restore the old facilities at Wood Island Park," I said to the Mayor, "How much are you going to spend on restoring recreational facilities in Wood Island Park?" He said, "\$500,000." I said, "How much would it cost to build a stadium on Wood Island Park?" He said, "Around \$400,000." So I said, "Build the stadium on Wood Island Park, and save \$100,000," and he asked Park Commissioner Long if it could be done, and the Park Commissioner agreed it could be done and that it would not interfere in any way whatsoever with the airport. Mr. McKenney was there, and he was the fellow who raised a hullabaloo about that stadium in East Boston. He said, "We want that stadium, we need it. It will take care of all the boys' school teams throughout Boston." Now, I would like to know where Mr. McKenney's voice was when they cut this \$68,000 from recreation. If I am not mistaken, Joe McKenney has two or three jobs, I think it is three. If he is holding three jobs, why doesn't he do a good job for the kids of Boston? You can't tell me he could not have stopped that

\$68,000 being cut from the school budget. I am more than amazed at the whole five School Committee members because I thought that was one group I was friendly with and wanted to be friendly with, but I can't see myself staying friendly with any group that will cut a measly \$68,000 out of a budget that runs as high as 16 to 18 million dollars, and take away the rights of supervision for the kids. Do they realize what my feeling is right now? I am begging the Mayor to tear down an old school which is being condemned so that we will have 600 square feet of playground right at Chelsea and Porter streets, where the traffic goes to the horse track and where that traffic will be tripled in another three weeks when the dog track opens. Here we have a School Committee of five brilliant members looking for a way to cut their budget a measly \$68,000 and cutting it by taking away supervision from the children of Boston. Only two weeks ago we had to go up there to fight that same School Committee about opening the schoolyards to get the kids off the streets in East Boston. Naturally, if the School Committee has not the sense and the wisdom to restore the \$68,000 for playground supervision, I hope the Mayor will see fit to send up an order to hire these young men and women who do supervise schoolyards and playgrounds; to send us an order for more than \$68,000 to put them on the pay roll. If we save one life this summer, it is well worth the measly 2 or 3 cents that the people would have to add on their tax rate. I hope this order is passed under suspension of the rules.

Coun. MUCHNICK—Mr. President.

Coun. KINSELLA—Mr. President.

Chairman HURLEY—Councilor Kinsella, not having spoken.

Coun. KINSELLA—I was surprised to see, in cutting the budget which runs into many millions of dollars, the School Committee did not support education which would bring so much pleasure and enjoyment in the city for a period of ten weeks' vacation. We know the children are in school about forty weeks a year, and the rest of the time they are out on the streets in most wards of our city. Most of our school children in Boston attend the Boston public schools and their families are in no position to take them to the country or the seashore for the ten weeks' vacation period. They are exposed to the dangers and menaces of high-speed traffic in many parts of our city; I should say in every part of our city. There is not a ward in Boston through which traffic does not move at a rapid rate of speed. It is rather a bad position in which to put the members of the School Committee that if any child is crippled or killed, then that child's misfortune can be laid directly on the doorstep of the men who supported this cut. It is not a question of paid personnel supervisors for children, that is only an attendant expense, and it is something that is to be expected, of course, because people do not contribute their time on matters of this kind, but if the cost of personnel was five times as great, it would leave us and the School Committee members with an easy conscience in this matter, but they have taken off the infinitesimal amount of \$68,000, and thereby compelled the children to play down on the dock and wharf areas, and to play on all the busy streets and around the railroad tracks as many of them will, anyway. It will make it absolutely necessary now for these children to play there since the areas of supervised recreational enjoyment are closed to them. I think it is penny-wise and more than pound-foolish to expose some little girl or boy to a lifetime of invalidism, or send a child, a girl or boy, to an early grave because the city tried to save \$68,000 and thereby deprive some child of his or her life. If we have any influence on the Mayor or the School Committee, our protests here today ought to bear fruit. Any one of those children who might be hurt this summer, regardless of whether play is supervised in school play areas or not, any one of these children might be one of our own children. That is not, of course, the only reason for opposing this cut. Let us recall this Body is constantly appropriating fabulous amounts of money for every conceivable service and expense that the city undertakes, and there is absolutely no reason why any member of this Body should remain silent when he contemplates that \$68,000 is almost infinitesimal and yet it brings a degree of safety and a degree of comfort and pleasure to children who, because of their families' circumstances, have to spend the summer vacation period in a hot, stuffy,

stifling, and always overerowed city. We owe it to these children. We may at any time see some little boy or girl, unknown to us, who comes from another part of the city, crippled for life, and if we were to investigate into the cause of it, we might reasonably find that child, some months before, had no place in which to play and was struck by an automobile on the street. I don't know what they were thinking of when they can vote the school teachers such a substantial amount in raises. I don't object to it, I don't protest. Nor would I ever protest a raise in pay, but we have the welfare of the children running hand in glove with the welfare of everyone else. A scant few years ago the oldest one in this Body today was a kid, and in a scant few years these children will be taking our places, and we owe it to them, Mr. President, not to deprive them of the happiest period in human life, the period of childhood when they have no responsibilities, when they have no worries or cares. That properly is for the adult members of the family. Everything they want, everything they must have, they go to the adult members of the family for. We are the adult overseers of their welfare, and if we cannot get that money restored, we should not raise our voices to restore other amounts for other items stricken from this budget. For heaven's sake, let us give them more than lip service. If we are politicians, if we have influence or expediency, here is the purest form of expediency, the purest form of welfare for the children. The principle that I want to leave with all the members of this Council is this; too many of these children are due to spend their overtime on the streets of our city. Let us give them \$68,000 to get as many of them off the streets of our city as possible, or let us feel that we have a certain sense of responsibility for the bad things that can happen to them which would deprive a child of all its power of locomotion or its life. I am not trying to be fantastically sentimental about the thing, but I am thinking of my own little boy 3½ years old, and there are thousands of that age in this city. I would like to think of him being able to play and grow up in a supervised play area and coming home safe to me, and yet, my boy's welfare in the last analysis is no more important than the welfare of any other little boy who is looking to the adults in the population for protection. My little boy looks to me for a certain degree of protection which fortunately I can give him, and for the mass, they are looking to us as the governing body of this city to protect them since they cannot protect themselves. If that is fantastically sentimental, I plead guilty. While I am thinking of my own little boy, I am thinking of yours, too. I am thinking of yours, too. Let us get them off the streets, let us get them into the hands of responsible people where they can enjoy the happiest times of their lives, their early childhood, when we can let them out in the care and custody from day to day of these responsible people, certain in our hearts they will come back to us as whole as they were when we let them out. I hope the School Committee reconsiders, and I hope the Mayor reconsiders, and if this does not prevail, I urge upon the School Committee members and ask the Mayor to submit to us the proper legal instrument by which we can replace the budget cut of \$68,000, and if necessary, increase it to an even \$100,000 and bring in more protection for them.

Coun. MUCHNICK—Perhaps we cannot convince the School Committee that this was a serious blunder on their part; perhaps we cannot convince the Mayor that the children of Boston are more important than ten unnecessary voting machine custodians, but if the Mayor will do anything at all, and speaking for my own district particularly, it would take under \$1,000, as I figure it, to supervise Franklin Field properly. Just under \$1,000 is spent on the Fourth of July celebration giving ice cream away and shooting off fireworks. I know the people of my district would gladly trade a scoop of ice cream for the protection of their children, and I should like to ask the Mayor through this Body to transfer that appropriation for this purpose if he cannot see his way clear to get the help and pay for it out of some other fund.

Chairman HURLEY—The councilor moves the suspension of rules and asks for the passage of the order.

Coun. COFFEY—Mr. President, for the dozen years I have held office, I never opposed a salary increase for anybody, that is one thing I can say I

have been consistent in. I wanted to see the school teachers get a raise just as well as anybody else. I would have liked to have gotten a raise myself, and I don't know but what I would be willing to bet a substantial number of school teachers, especially out in West Roxbury, voted against the raise for the City Council. At the same time, we have received hundreds of letters—I know I have, and I know the other councilors have—from school teachers thanking us for the active part we have taken to see they received a salary increase. What I am getting at is this; those school teachers were well taken care of by the School Committee. The School Committee, in fact, went out of its way, not only to take it up with the Mayor but also with His Excellency the Governor. They appeared before the Legislature for a salary increase for the school teachers. The one thing I fought against, and I always will, is anybody who works for the City of Boston and still does not think that the City of Boston is good enough to live in. Those people do not pay one penny of taxes to the City of Boston, those who work for the city but do not live here, and if the School Committee wants to find out where they can get \$68,000, let them make a survey on their own time to find out how many school teachers in the City of Boston live outside Boston Proper and do not pay one penny of tax to the city, and if it is possible, let them cut them to raise the \$68,000 for the children of Boston.

Coun. LINEHAN—Mr. President, may I add a few remarks? The thought might be in the minds of some people that, if the schoolyards are open, that is adequate, but it seems to me if we have the schoolyards open and no supervision, it will very likely follow that the larger boys would take over the playground to the detriment of the small children. I think the small children in this case are the ones we are trying to protect. In conclusion, I would like to quote an article from a paper in which it says: "It is quite a blow to Joe McKenney, Director of Physical Education in the Boston schools, inasmuch as it means the closing of 110 schoolyards and 40 parks where children of 12 years and under have enjoyed supervised play under ideal conditions during the spring and summer. 'The cut in our budget which is really a major operation as you can see, said McKenney, will not affect our competitive sports program, in the Boston schools, but it will practically ruin our physical education system.'" Therefore, I sincerely hope his Honor the Mayor who was one of those officials charged with the duty of setting up the budget for the schools,—and it is as much his responsibility as it is that of the School Committee,—will right what I think is a wrong not only by the School Committee but also by him.

The order was passed under suspension of the rules.

CONCRETE BARRIER, DORCHESTER AVENUE, IN FRONT OF FORT POINT CHANNEL.

Coun. SCANNELL and LINEHAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct a concrete barrier or bumper 2 feet high along Dorchester avenue, in front of the Fort Point Channel, and at such other locations as may be necessary to prevent automobiles from going through the railing into the water.

Coun. SCANNELL—On Monday, January 15, 1940, through the foresight of Councilor Linehan and myself, we advocated that there be high bumpers put on the L Street Bridge, and also all bridges in Boston. That was in 1940 and, mind you, gentlemen, through the foresight of the members of this Council there has never been an accident since. I don't see any reason why they do not carry out this proposal of Councilor Linehan and myself and go down to the Fort Point Channel section and do the same thing. At least they could have put up bumpers, and there would not be then the accidents that have happened there in the past few months. It seems there is a traffic hazard down there. There are automobiles flying across that road diving into the Fort Point Channel. I know the condition because I travel there every night, and the mail trucks coming out of the South Station post office may have caused these automobiles going into the Fort Point Channel. But, if they had done what Councilor Linehan and

myself suggested, if they had completed the job at Fort Point Channel, there would have been no loss of life there. As I said before, the first job was done on the L Street Bridge, and in the course of two or three weeks it was brought to my attention there was a family from my district went in there and skidded into these bumpers, and what happened? The man and wife and their three children bumped against these bumpers, and it took one of the wheels off, the bumpers thereby saving their lives. If that can be averted through our foresight in 1940, that job should have been completed by the Public Works Department in Fort Point Channel, and there would be no question the lives of these people lost in Fort Point Channel would have been saved. I ask suspension of the rules and the passage of the order.

The order was passed under suspension of the rules.

REPLACING OF EAST BOSTON SIDEWALKS WITH CONCRETE.

Coun. COFFEY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace all the brick sidewalks in East Boston with concrete.

Coun. COFFEY—Mr. President, after that show put on in the Back Bay in the past week, I can't help thinking of the past dozen years how people in East Boston who have brick sidewalks have been begging me to have the brick replaced with concrete. I have several requests now with the Public Works Commissioner on streets that are hazardous where people are injured at least once a week because of the uneven sidewalks, and even sidewalks with no bricks, just dirt. The streets are poorly lighted at night, and literally, a person walking along is liable to step into a hole and permanently injure himself. It is usually the elderly person who breaks a hip more than a leg. Many people have received broken hips in my district in the last few years. If the people in the Back Bay want bricks for their sidewalks, we will give them all the bricks from the streets of East Boston, and we must have 200 streets with brick. I wish the Public Works Commissioner would take up these bricks and put down concrete so that the people will be safe. There is no history in East Boston, nobody in East Boston has ever done anything. All we did in World War II was send 16,000 of our sons into the service. So there would be no history attached to the East Boston section of Boston. I hope the Public Works Commissioner will see fit to replace the brick sidewalks in East Boston with cement and send the bricks up to the Back Bay section.

The order was passed under suspension of the rules.

Coun. SULLIVAN in the chair.

REPAIR OF MAIN ARTERIES IN BOSTON FROM GAS TAX.

Coun. KEENAN offered the following:

Ordered, That his Honor the Mayor be requested to confer with His Excellency the Governor with a view to obtaining sufficient funds from the State gasoline tax to repair the main arteries in Boston which are used by automobilists residing in outside cities and towns.

Coun. KEENAN—Mr. President, the purpose of my introducing this order today is, I noticed His Excellency the Governor of the Commonwealth wants to put a sales tax upon the residents of the Commonwealth of Massachusetts, and he asks that an additional 2-cent gasoline tax be imposed on all the residents of the Commonwealth owning automobiles. I have before me, Mr. President, a list of streets in the City of Boston with their mileage, taken by the chief engineer, Mr. McGovern. Commonwealth avenue, for instance, is 5½ miles, and the list goes down to Maverick street, East Boston, covering the entire City of Boston, and I say for the number of automobiles using the main arteries coming into Boston, the Commonwealth of Massachusetts should reimburse the City of Boston in some way for the upkeep and use by the residents outside the City of Boston. I ask for suspension of the rules and the passage of the order.

The order was passed under suspension of the rules.

FLAGPOLE FOR EMERY PARK PLAYGROUND.

Coun. BRYAN, for Councilor Madden, offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to erect a flagpole on the Emery Park Playground in North Brighton, Ward 22.

Passed under suspension of the rules.

EXTENSION OF WASHINGTON STREET TUNNEL, ETC.

Coun. MORIARTY offered the following:

Resolved, That the City Council of the City of Boston hereby favors the enactment of legislation providing for the extension of the Washington Street Tunnel and the removal of existing elevated structures between Roxbury and Forest Hills, provided such legislation contains a referendum to the Mayor and City Council.

Passed under suspension of the rules.

RECESS.

The Council voted at 4 p. m., on motion of Councilor Chase, to take a recess, subject to the call of the Chair. The members reassembled and were called to order at 5 p. m. by President KELLY.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred April 7) for appropriation of \$60,000 from income of Cemetery Fund to be expended under direction of Park Commissioner for Cemetery Division, Maintenance and Improvement,—that same ought to pass.

The report was accepted, and the order was passed, yeas 13, nays 0;

Yeas—Councilors Carey, Chase, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Linchan, Moriarty, Muchnick, Seannell, Sullivan—13.

Nays—0.

2. Report on message of Mayor and order (referred today) for appropriation of \$30,000 for Boston Housing Authority—that same ought not to pass.

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

Coun. LINEHAN—Mr. President, speaking on this order. I don't want to go on record at this time as being against this appropriation because I am not sure what it is all about. From my own knowledge, I feel sure they have sufficient down there, but it is possible they have information on hand at the present time that I am not aware of whereby they might need added money for new plans. I know they had certain surveys made over a period of years which are available for low income housing developments. I don't know whether they are looking for money for additional sites to those already studied, but I may say there are at least 20 sites for which plans were compiled under the leadership of Frank Lane who, in my opinion, is the leading expert on sites for low income housing developments in the state. If it is money for these plans he has already drawn up, it would seem to me they are looking for money they have already spent. But if it is for something they are lacking in regard to new developments, I would like to get the information. For fear they might have other plans which I don't know about, I would be

forced to go on record today to move that this lay on the table. If it is defeated, I at least would not be voting against this motion. I move it be laid on the table until I get further information from the Boston Housing Authority before us.

President KELLY—Councilor Linehan moves this lay on the table. The Chair is in doubt. All those in favor, please rise; those in favor of laying it on the table. Five in the affirmative. Those opposed. Councilor Fish, are you rising? Five in favor. The motion is lost.

Coun. HANNON—Mr. President.

Coun. MUCHNICK—Mr. President, I doubt the vote and ask for a roll call.

President KELLY—Councilor Muchnick doubts the vote and asks for a roll call, and having enough strength joining him, the Clerk will call the roll.

The roll was called, and the motion to lay on the table was carried, yeas 8, nays 5:

Yeas—Councilors Carey, Chase, Fish, Hurley, Kelly, Kinsella, Linchan, Muchnick—8.

Nays—Councilors Hannon, Keenan, Moriarty, Seannell, Sullivan—5.

Coun. KEENAN—Mr. President, I move reconsideration.

President KELLY—There is no reconsideration, counselor.

Coun. MUCHNICK—Mr. President, a point of information.

President KELLY—State your point of information.

Coun. MUCHNICK—Is a motion referring this back to the Executive Committee in order at this time?

President KELLY—The motion to refer it to Executive at this time would not be in order. The matter is on the table now.

THE NEXT MEETING.

Coun. HURLEY—Mr. President, a point of information.

President KELLY—State your point of information.

Coun. HURLEY—I understand that they are going to paint this chamber, and it won't be ready next Monday.

President KELLY—That is right. What is your pleasure?

Coun. SULLIVAN—I move we now adjourn.

Coun. SCANNELL—Mr. President.

President KELLY—Do you withdraw that motion?

Coun. SCANNELL—Mr. President.

President KELLY—Will you let the Chair make an announcement?

Coun. SCANNELL—Surely.

President KELLY—I understand from the City Messenger that the painters are going to start work here Thursday and it will take about four days to paint the chamber, Thursday, Friday, Monday and Tuesday. What is the pleasure of the Body?

Coun. SULLIVAN—Mr. President, I don't see why the painters can't start Tuesday and they will have the whole week. I move we do now adjourn.

Coun. SCANNELL—Mr. President.

President KELLY—The Chair will state his Honor the Mayor is having a meeting of the department heads here, counselor.

Coun. SULLIVAN—My reference was to let the contractors start next Tuesday. Why should we put ourselves out? No one else puts himself out for us, Mr. President. I move we do now adjourn.

President KELLY—No debates. Councilor Sullivan moves we do now adjourn.

Adjourned, on motion of Councilor Sullivan, at 5.17 p. m., to meet on Monday, May 12, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 12, 1947.

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

The meeting was opened with the salute to the Flag.

Coun. FISH in the chair.

JURORS DRAWN.

Jurors were drawn for Superior Criminal Court, Councilor Kinsella presiding at the box in the absence of the Mayor, viz.:

One hundred traverse jurors, Superior Criminal Court, to appear June 4, 1947:

William Dinan, Ward 1; Joseph X. Lyons, Ward 1; Peter Mattina, Ward 1; Frank Rose, Ward 1; Ralph Rossetti, Ward 1; Thomas F. Schipani, Ward 1; Angelo Carbone, Ward 2; Edward T. Higgins, Ward 2; Samuel Hermann, Ward 3; Clarence H. Barnes, Ward 4; Earle B. Compton, Ward 4; William R. Drybread, Ward 4; William Pennington Baker, Ward 5; Oscar Green, Ward 5; James J. Malone, Ward 6; Anthony DelPapa, Ward 7; Thomas P. Fidelle, Ward 7; Stephen W. Bartlett, Ward 8; Charles H. Litchfield, Ward 8; Michael Ferber, Ward 9; Leonard Mealey, Ward 9; Edward J. Gilman, Ward 10; Felice Antonio Giovannello, Ward 10; John Lally, Ward 10; Reginald B. Harrison, Ward 11; Patrick A. Hart, Ward 11; Edward A. Hughes, Ward 11; James Lambert, Ward 11; John W. Walsh, Ward 11; Joseph F. Weiler, Ward 11; James J. Ford, Ward 12; John J. Ford, Ward 12; James T. Healy, Ward 12; Morris Lampke, Ward 12; Morris Rodman, Ward 12; Israel Sheinfeld, Ward 12; Charles B. Walker, Ward 12; John J. Austin, Ward 13; Robert M. Coney, Ward 13; Joseph H. Bennett, Ward 14; Louis L. Bennett, Ward 14; Samuel Elman, Ward 14; John N. Fountas, Ward 14; Abraham Greenberg, Ward 14; Joseph Greenfield, Ward 14; Abraham Jacobs, Ward 14; Samuel F. James, Ward 14; Samuel Lesburg, Ward 14; Irving Nitenson, Ward 14; John Pirrone, Ward 14; Charles B. Salvine, Ward 14; Abraham Schwartz, Ward 14; Martin J. Shufro, Ward 14; Bernard Buechs, Ward 15; Edward Castelnova, Ward 15; Edward H. Lally, Ward 15.

Herbert C. Armstrong, Ward 16; Carl E. Carlson, Ward 16; George A. Curtis, Ward 16; Frank R. Hill, Ward 16; Thomas P. McGourty, Ward 16; Eugene F. Moore, Ward 16; Louis A. Ricci, Ward 16; William J. Tibert, Ward 16; William S. Yovino, Ward 16; Walter J. Bingel, Ward 17; Stanley B. Hersey, Ward 17; William McLean, Ward 17; John R. Cataldo, Ward 18; William E. Fierman, Ward 18; Nathan B. Green, Ward 18; Joseph L. LeBlanc, Ward 18; John A. MacRae, Ward 18; Lewis J. Bowen, Ward 19; Patrick J. Carroll, Jr., Ward 19; Manuel F. DeLeon, Ward 19; James M. Devlin, Ward 19; Joseph T. Hanlon, Ward 19; Haskell N. Harrison, Ward 19; Joseph W. Henriess, Ward 19; John F. Keeley, Ward 19; Daniel O'Connell, Ward 19; Thomas M. O'Flaherty, Ward 19; Timothy P. Sullivan, Ward 19; Lawrence J. Whalen, Ward 19; Arnold Wolf, Ward 19; Urban W. Bruning, Ward 20; Daniel Donovan, Ward 20; Edward L. Hickey, Ward 20; William J. Hurley, Ward 20; James D. Lambie, Ward 20; George O. Olsen, Ward 20; Michael B. Coyne, Ward 21; Edward R. Doherty, Ward 21; Frank P. Hallenbrook, Ward 21; John J. McMahon, Ward 21; Kyran P. Walbourne, Ward 21; William Wolfe, Ward 21; John Fitzgibbon, Ward 22; Almon Gibbons, Ward 22.

President KELLY in the chair.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments for the term ending April 30, 1948:

Constables authorized to serve civil process upon filing of bond: William H. Lynch, 236 Kittredge street, Roslindale, Mass.; William G. Campbell, 71 Richmere road, Mattapan, Mass.

Weighers of Goods: Roger W. Curtis, 12 Pond street, Hyde Park, Mass.; Miss Edith Golderson, 10 Stanwood street, Roxbury, Mass.

Severally referred to the Committee on Constables and Confirmations.

SURVEY OF HEATH STREET, WARD 10.

The following was received:

City of Boston,

Office of the Mayor, May 9, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of March 10, 1947, concerning the making of a survey of Heath street, Ward 10, with a view to eliminating serious hazards to pedestrians, due to increasing vehicular traffic.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Traffic Commission, May 5, 1947.

Hon. James M. Curley,

Mayor of Boston.

Dear Mr. Mayor,—This is in reply to City Council order dated March 10, 1947, which reads as follows:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to make a thorough survey of Heath street, in Ward 10, with a view to devising some means of eliminating the now existing serious hazards to pedestrians, especially children, on that thoroughfare, from the constantly increasing vehicular traffic.

At the present time parking is prohibited in the south side of Heath street from Columbus avenue to South Huntington avenue and several warning signs have also been erected. I agree that there is a definite hazard to children who play on the street and I believe that this is a matter for the Police Department.

This office contacted the captain in charge of this Police Division and he has agreed to give this street particular attention.

Respectfully,

LEO F. CURLEY, Commissioner.

Placed on file.

NAMING OF INTERSECTIONS IN MEMORY OF DECEASED VETERANS.

The following was received:

City of Boston,

Office of the Mayor, May 9, 1947.

To the City Council.

Gentlemen,—The committee appointed by me in 1946 to recommend the naming of certain intersections in the city in memory of deceased veterans, has forwarded me a recommendation, as herewith attached, that eleven intersections in various parts of the city, be named for veterans who sacrificed their lives during the period of World War II in order that liberty and freedom might exist in the world.

I understand the committee has made its recommendations after considering various proposals, and has attempted, insofar as possible, to name intersections in honor of local heroes.

I submit, herewith, separate orders for the naming of each intersection as recommended, and I respectfully request approval of these orders by your Honorable Body.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Street Laying-Out Department,

May 6, 1947.

Hon. James M. Curley,

Mayor of Boston.

Dear Mr. Mayor,—The committee named by you to advise with regard to the naming of squares for veterans, having met and considered various proposals, have decided to name the following intersections:

Circle at junction of Westland Avenue entrance and the Fenway—MEMORIAL CIRCLE—in honor of those residents of the Back Bay who gave their lives in defense of their country in the second World War.

Intersection of Longfellow street and Draper street, Dorchester—FRANCIS WILLIAM CAREY SQUARE—Conswain Francis William Carey was lost in the sinking of the USS "Ingraham" on August 22, 1942—only veteran of World War II who was born on Longfellow street and made the Supreme Sacrifice.

Intersection of Washington street and Zeigler street, Roxbury—LIEUT. GEORGE VACCARO SQUARE—Lieutenant Vaccaro was killed on his 131st mission over Valence, France; he was holder of the distinguished service cross, the Silver Star, two air medals with clusters and the Purple Heart.

Intersection of Harrison avenue and Northampton street, Boston—SERGT. PATRICK CRISAFULLI SQUARE—member of the Marine Corps, who died at Iwo Jima.

Intersection of Gallivan Boulevard and Washington street, Dorchester—WILLIAM G. WALSH SQUARE—William G. Walsh was a resident of district all his life—was awarded the Congressional Medal of Honor posthumously—served with the Fifth Marine Division on Iwo Jima.

Intersection of Oak street and Hudson street, Boston—MICHAEL ABRAHAM SQUARE.

Intersection of Sharon street and Harrison avenue, Boston—JOSEPH JAHJAH SQUARE.

Intersection of Milford street and Shawmut avenue, Boston—SAMUEL NASER SQUARE.

Intersection of Shawmut avenue and Dwight street, Boston—GEORGE and SHAFFIE ABRAHAM SQUARE.

Intersection of Charter street and Henchman street, Boston—ISADORE J. ACCARDI SQUARE.

Intersection of Foster street and Commercial street, Boston—CARMINE A. DANTONE SQUARE.

It is the opinion of the committee that the above squares are designated for veterans whose record in the service of our country should be memorialized.

Respectfully submitted,
CHARLES E. MANION, Chairman.

Ordered, That the circle at Westland Avenue entrance to the Fenway be named Memorial Circle in honor of residents of Back Bay who sacrificed their lives in World War II.

Ordered, That the space at the junction of Longfellow street and Draper street, Ward 15, be named Francis William Carey Square, in honor of Francis William Carey, late veteran of World War II.

Ordered, That the space at the junction of Washington street and Zeigler street, Ward 9, be named Lieut. George Vaccaro Square, in honor of Lieut. George Vaccaro, late veteran of World War II.

Ordered, That the space at the junction of Harrison avenue and Northampton street, Ward 8, be named Sergt. Patrick Crisafulli Square, in honor of Sergt. Patrick Crisafulli, late veteran of World War II.

Ordered, That the space at the junction of Gallivan Boulevard and Washington street, Ward 17, be named William G. Walsh Square, in honor of William G. Walsh, late veteran of World War II.

Ordered, That the space at the junction of Oak street and Hudson street, Ward 3, be named Michael Abraham Square, in honor of Michael Abraham, late veteran of World War II.

Ordered, That the space at the junction of Sharon street and Harrison avenue, Ward 8, be named Joseph Jahjah Square, in honor of Joseph Jahjah, late veteran of World War II.

Ordered, That the space at the junction of Milford street and Shawmut avenue, Ward 3, be named Samuel Naser Square, in honor of Samuel Naser, late veteran of World War II.

Ordered, That the space at the junction of Shawmut avenue and Dwight street, Ward 3, be named George and Shaffie Abraham Square, in honor of George and Shaffie Abraham, late veterans of World War II.

Ordered, That the space at the junction of Charter street and Henchman street, Ward 3, be named

Isadore J. Accardi Square, in honor of Isadore J. Accardi, late veteran of World War II.

Ordered, That the space at the junction of Foster street and Commercial street, Ward 3, be named Carmine A. Dantone Square, in honor of Carmine A. Dantone, late veteran of World War II.

Referred to the Executive Committee.

APPROPRIATION FOR AUDIT OF DEPARTMENTAL ACCOUNTS.

The following was received:

City of Boston,

Office of the Mayor, May 12, 1947.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the City Auditor in which an appropriation of five thousand dollars is requested for the audit and examination of departmental accounts by reputable accounting concerns. In the belief that it is for the best interests of the city to provide for the annual examination of departmental accounts, I submit herewith an appropriation order and respectfully recommend its adoption by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,

Auditing Department, May 8, 1947.

Hon. James M. Curley,

Mayor of Boston.

Dear Sir,—Under the provisions of section 23 of the City Charter, departmental accounts are "subject to the inspection and revision of the City Auditor." For a number of years, I have endeavored to carry out this provision by assigning, when the work of this office would permit, staff members of the department to conduct audits and examinations of departmental accounts. Under this procedure, it has been impossible, because of the number of departments to be covered, to maintain this phase of the work of this department on a current basis. Feeling that it is not only desirable but necessary to provide for an annual examination of the accounts of departments handling cash, I desire to supplement the work which may be performed with staff members by the employment of reputable accounting concerns. To this end, I request that an appropriation of five thousand dollars (\$5,000) be made available in Item B-28 of the Auditing Department budget to permit an expansion in the inspection and examination of departmental accounts.

Very truly yours,
CHARLES J. FOX, City Auditor.

Ordered, That the sum of five thousand dollars (\$5,000) be, and hereby is, appropriated to be expended as hereinafter specified, said sum to be raised by taxes on the polls and estates in the City of Boston and that all orders heretofore passed by the City Council relating to appropriations, taxes and the interest thereon apply to the appropriations and taxes herein provided for.

Auditing Department.

B-28, Expert.....\$5,000
Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Lillian Anderson, for compensation for injuries caused by an alleged defect in Nasliua street.

Theodore Bullis, for compensation for damage to car by city truck.

Thomas F. Joyce, to be reimbursed for loss of clothing at City Hospital.

Henry W. Magnussen, for compensation for injuries caused by fire apparatus.

Saha Najjar, for refunds on Sunday license and soft drinks license.

Theodore Ruhinovitz, for compensation for damage to property at 27 Cambridge street, caused by defective water pipe.

Katie E. Stewart, for compensation for damage to car by city car.

Mrs. L. Sweeney, for refund on dog license.

Committee on Licenses.

Petition of Sutcliffe Transportation Company for license to operate motor vehicles between airport and private way leading to Porter street, Porter street, Sumner Tunnel, Cross street, through Haymarket square, Canal street, Causeway street, North Station, Causeway street, through Keany square, Commercial street, Atlantic avenue, through Dewey square, Summer street to South Station. Also from junction of present route in Adams square at Congress street, through Post Office square, Milk street, Federal street or High street, Summer street, through Dewey square, Atlantic avenue, Kneeland street, Stuart street, or via Eliot street, Columbus avenue, to Arlington street, Arlington street, St. James avenue, Huntington avenue, to Copley square.

PERMITS FOR CHILDREN TO APPEAR.

Petitions for children under fifteen years of age to appear at places of public amusement were received as follows:

John S. Bowes, New England Mutual Hall, May 1, 24; Katharine M. Foley, Recital Hall, June 1; Jean Paige, Jordan Hall, May 28; Gertrude Dolan, Jordan Hall, June 6, 12, 20, 27; Katharine D. O'Corman, New England Mutual Hall, May 27; Hazel Skaggs, Recital Hall, May 23; Lillafrances Viles, Hyde Park High School, June 9; Virginia Williams, Jordan Hall, June 16.

Permits granted under usual conditions.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of the following, having been duly approved by the City Treasurer, were received and approved by the Council:

Henry G. Dahlquist, Patrick J. Donovan, Salvatore Crassa, Arnold Klevens, Louis Levensdorf, Anthony Luongo, Salvatore Maffei, Norman M. Menzies, Jr., Louis Richmond, William Tatel, Joseph Todisco, Rudolph L. Trent.

PUBLIC WELFARE DEPARTMENT
ORGANIZATION.

Notice was received from the Public Welfare Department of organization as follows:

Chairman, Louis P. Leonard; Vice-Chairman, Miss Sophie M. Friedman; Treasurer, Edward H. Willey; Secretary, William C. O'Hare.

Placed on file.

TRANSPORTATION OF CATTLE.

A communication was received from the Health Commissioner enclosing instructions from Director of Division of Livestock Control of Massachusetts Department of Agriculture, that Order No. 48, relative to transportation of cattle into Commonwealth of Massachusetts, shall be filed with City Clerk, who shall post same in a conspicuous public place.

Placed on file.

PUBLIC UTILITIES DEPARTMENT
HEARING.

Notice was received from the Department of Public Utilities of hearing on petition of Boston Elevated Railway Company, for changes in east loop, Dudley street station, on Friday, May 23, 1947, at 11.30 a. m.

Placed on file.

APPOINTMENT OF SINKING FUNDS
COMMISSIONER.

Notice was received from the Mayor of appointment of John Fox, 89 State street, as member of Board of Sinking Funds Commissioners, for term ending April 30, 1950, *vice* Arthur J. Kelly, term expired.

Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from William H. Ellis, member of Board of Appeal, of interest of W. H. Ellis & Son Company in contract for repairs on Warren Bridge fender guards.

Placed on file.

REPORT OF COMMITTEE ON
CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of I. Joseph Mirkin (referred May 5) as constable for term ending April 30, 1948, authorized to serve civil process upon filing bond—recommending that appointment be confirmed.

Report on appointments of Ida Zaks and Simon Canty (referred May 5) as Weighers of Coal for term ending April 30, 1948—recommending that appointments be confirmed.

Report on appointments of James Keane and Reed Freeman (referred May 5) as Weighers of Goods for term ending April 30, 1948—recommending that appointments be confirmed.

Report on appointment of William F. Callahan (referred May 5) as Weigher of Beef for term ending April 30, 1948—recommending that appointment be confirmed.

The reports were accepted, and the question came on confirmation of the appointments. Committee, Councilors Russo and Cantwell. Whole number of ballots 12, yeas 12, and the appointments were confirmed.

REPORT OF COMMITTEE ON RULES.

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

Report on resolution (referred May 5) opposing sales tax—recommending that same ought to pass.

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

Coun. KEENAN—Mr. President, this is an order I introduced last Monday. I think notice should be sent to the Governor and to the members of the Massachusetts Legislature showing that the members of the Boston City Council are opposed to the sales tax the Governor is attempting to put on the people of the Commonwealth. I think the sales tax will be a big burden on large families, especially those with a lot of children, and I also say the extra two-cent tax will be a burden on automobile owners—we now have a three-cent tax. I ask the Clerk to notify the Governor and the members of the Legislature of our position on these taxes.

President KELLY—The Clerk will so be informed.

Coun. COOK—Mr. President, I wish to commend the councilor for his order. I would like to point out to the members of the Council that the slogan of the present Governor, "Let's straighten things out in Massachusetts," has been changed to "Let's flatten out the poor in Massachusetts." He knows, and everyone else knows, that the poor are getting poorer. The sales tax affects low wage earners and the great mass of people. The best he can do to straighten out Massachusetts is to keep back of the poor people, and all of us ought to remember that in the next election. I hope the sales tax is defeated, and all other taxes that will be a burden upon the mass of people and not upon those who can afford to pay and should pay.

Coun. BAYLEY—May I have the order read, Mr. President? I was out of the room.

President KELLY—The Clerk will read the order.

(The resolution was read.)

The resolution was passed.

ACCEPTANCE OF ACT RE COMPENSATION
OF POLICE DEPARTMENT MEMBERS.

Coun. KELLY offered the following:

Ordered, That chapter 342 of the Acts of 1947, entitled "An Act Increasing the Compensation of the Members of the Police Department of the City of Boston" be, and hereby is, accepted.

Coun. LINEHAN—At this time, I would like to ask the permission of the President to add the following names to his order: Councilors Linehan, Hannon, Bryan, Fish, Keenan, Seannell, and Bayley of the Back Bay would like to be added.

President KELLY—Wait.

(Councilors Sullivan, Moriarty, Kiusella and Linehan all addressed the President.)

President KELLY—Just one minute. The Chair will state in fairness to all councilors that when this order is passed, he is going to order it on a roll call vote, and everybody will have a chance to cast his vote.

Coun. LINEHAN—I still press my motion. If there is any other councilor who wants to join, I would like to have him added to it.

President KELLY—I will be glad to have other councilors join in my order, councilor.

Coun. LINEHAN—Those names I mentioned signified their intention: Linehan, Hannon, Bryan, Fish, Keenan, Seannell, and Bayley.

President KELLY—If there is no objection, I will have the 22 members added to it. We cannot do that—it is illegal.

Coun. LINEHAN—I still press my motion.

President KELLY—I am informed the right way to do it is to let the order remain as it is, and have a roll call taken on the order, councilor.

Coun. LINEHAN—All right, Mr. President. At the outset, I believe it would be appropriate to read the Act passed by the Legislature, and signed by the Governor on May 5, 1947:

CHAPTER 342 OF THE ACTS OF 1947.

An Act Increasing the Compensation of Members of the Police Department of the City of Boston.

Be it enacted by the Senate and House of Representatives, in General Court assembled, by the authority of the same, as follows:

SECTION 1. Notwithstanding provisions of section 13 of chapter 291 of the Acts of 1907, as amended, the minimum annual compensation of each patrolman of the Police Department of the City of Boston is hereby established as follows: For the first year of service, \$2,500; for the second year of service, \$2,700; and for the third year and each succeeding year of service, \$3,000. The compensation of each member of such department above the rank of patrolman is hereby increased by an amount equal to ten per cent of annual compensation received by him on the day immediately prior to the effective date of this act.

SECT. 2. This act shall take full effect upon its acceptance by the vote of the City Council of the said city.

At the present time, Mr. President, I have been informed that the patrolmen start at \$2,000 and in the course of three years receive eventually \$2,700. That is to say, they start off with \$2,000 and they go to \$2,300, \$2,600, and finally to \$2,700. I might also say, for the benefit of the members of the Police Department, that Commissioner Sullivan has fought for an increase in pay for the policemen ever since he has been Commissioner. There might be many people in his department who might take issue with him, but I know ever since he has been Commissioner he has gone to the Legislature to try to increase the pay of the men who work under him. I think this is a climax to some work that he has put in over a period of years, in addition to what other organizations have done—one organization composed of the wives of the policemen. They have done a fine job all through the years. At the present time there are about at least five cities throughout the Commonwealth that pay their policemen \$3,000 a year or more. In Cambridge they receive \$3,000 a year. In Hull they have a \$2,400 minimum, and a \$3,000 maximum in six years. In Milton they receive \$3,133 a year, which is \$133 a year more than the Boston patrolmen get under this Act, if it is accepted by the Council. In Stoneham they receive \$3,000 a year. In Wellesley they get \$2,700, \$300 bonus, and \$50 for uniforms. So when we, as members of the city government, go along with this Act which was passed recently, we are not doing something which is setting a precedent for other cities, but we are following other cities that have gone forth without the approval of the Legislature, who have seen the work done by the men on the Police Department and have gone ahead and voluntarily increased their salaries. Now, without the consent of the Mayor and without the approval of the Mayor, we can

pass this Act, and it will become effective on the date we accept it, and I sincerely hope all the councilors go along and approve this measure 100 per cent, and show the men in the Police Department we appreciate the work they are doing every day throughout the year.

Coun. HURLEY—Mr. President, Councilor Sullivan and I had a similar order drawn up asking that this Body accept the Act of the Legislature. After talking it over, we thought we would withdraw the order and have the Chair submit the order, which I think would be representative of the entire Body. I don't think that the Police Commissioner should take too many bows on this. I remember having a conversation with the Commissioner out here in back two years ago. We here all know that it does not take an Act of the Legislature to increase any employee's salary in Boston because that is the right of the Mayor, and I imagine that he takes the advice of his department heads. We all know the Police Commissioner in reality is a department head of the city. I asked him at that time, "Why don't you go to the Mayor and make a recommendation to him that the police force and officers of the department receive a salary, comparable to New York, to which I think they are entitled?" But he did not want to do that. I don't know what work he has done in the meantime for the further advancement of wages for the Police Department, but he was not cooperative two years ago when I spoke to him outside Thompson's Spa and asked him, "Why don't you go to see the Mayor"—this was less than two years ago—"and ask him if he could not get a raise for the police force and the officers of the City of Boston Police Department?" But from my talk with members here, I am quite sure there will be no trouble in passing this order. We want no one working for the city to live in poverty and destitution. We see in the papers that the cost of living has gone up 10 or 15 or 20 per cent in the space of a year. We want a living wage for them and the others too who work for the city. I think the other departments in the City of Boston are in a bad way for making both ends meet. We all know the police do not have time off, they are called upon for extra duty in court, on election days, parade days, and never get a cent of compensation for this. Of course, this is a great start to help them, and to know that they will have a fair wage—not a big wage, a fair wage—and that they can bring up their families and support them decently. I hope, Mr. President, that this order will pass unanimously.

Coun. KINSELLA—Mr. President, I don't suppose the question even in part is—Who gets the credit for this? It would be a little short of criminal to refuse to accept this Act down here, not that there is any disposition to do so—after the bold step has been taken by the Legislature. The only regret I am expressing, and, of course, I am voting on this, is that it did not include the firemen. I am aware of the fact that the people primarily responsible for the passage of the Act are here, and the policemen's wives are present, too. Aside from all that, I think it is one of the few acts of justice that the Legislature perhaps has performed this year. Those of us in the city government come in contact with the Police and Fire Departments many times in a year. We have heard their personal complaints, all of which, in my opinion, were well justified. As long as the issue of credit has been brought up, I can't see that the lowliest private in the Police Department just appointed is any less to be considered than a man getting \$10,000 a year, and I only wish that the people present in the gallery were not here at this moment because it sounds a little too apt to say these things in their presence, but I will never be able to understand, and I am forty-five—even if I live forty-five more years—why it is a cop on the street, who might be a corpse at any time, has to go for years and years before he gets his just deserts when the department head, with no personal risk involved, gets over three times his salary. That is one of the minor mysteries of life none of us can solve, least of all can I. I don't think, as Councilor Hurley has said, that the Commissioner ought to be commended too highly. It is not so long ago that certain uniformed police officers complained to me of his behind-the-scene offer to knock down their pay raise. It is unfortunate. I am delighted they got it, and I seriously advise the firemen to get busy because the Legislature

will probably prorogue very early in June. I would like to feel the self-same bill, changing only the title from that of police officer to that of fireman, will go through the Rules Committee and will go through the House and Senate, will go into the Governor's office and be signed with the same celerity this bill was signed because their interests have run along hand in hand ever since the creation of the two departments. They are both protective forces: One protects us from the depredations of our fellow men and the other protects us against fire, one of the greatest menaces in nature. When you recognized me when you did—and I am certain I would not have asked for recognition again, but now I have accepted it—my primary purpose was to congratulate the Police Wives' Association for the fine work they did, and to recommend as strongly as possible that the firemen's wives get busy and not let it go until 1948. Personally, I think they ought to get it today, but we are not in a position to do it for them. I hope unanimous approval is given to this Act.

Coun. COOK—Mr. President, one reason I am speaking on this is to bring this to your attention and to the attention of the members of the Body; ordinarily, this would go to the Committee on Finance. I read in the paper, and I think it is pretty authoritative, that the expense to the city would be \$700,000. I know that the Mayor has sent down supplementary appropriation recommendations for equipment for various departments, the Fire Department especially. So far as I am concerned, the best equipment we can have in the Police Department is satisfied members of the force. Certainly, no police officer working for less than \$2,500 a year is a satisfied police officer, or any public servant, as conditions are today. Therefore, I am heartily in favor of passing this order, which is an acceptance of the Act, under suspension of the rules and without sending it to the committee. I don't think anyone of us can be accused of acting hastily because the Legislature knew full well the financial problems of the city, and we know the financial problems of the city, and I think if we watch carefully the recommendations as they come later on for supplementary appropriations—and I notice we have one here for \$30,000 for the Boston Housing Authority to study housing and some other plans which have been studied so much they would make a larger book than Anthony Adverse—I think we can use the money where it is best and most needed, in public service. The beginning wage of \$2,500 and step-rates as they are in the act, up to \$3,000, is fairly reasonable in these times, and I don't think there is any member of our Body or the Finance Commission or even the Mayor who can point out to us we cannot get the money to pay for the services we need and to pay for the fair rate the Legislature has allowed us to accept. I hope this is accepted under suspension of the rules.

President KELLY—The question comes on the suspension of the rules. All those in favor, say "aye," those opposed, "no;" it is ordered. The question comes on the passage of the order, and the Clerk will call the roll.

The order was passed, yeas 21, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—21.

Nays—0.

Later in the session Councilor Carey said: Mr. President, on the police pay bill, I wish to be recorded in favor, as voting "yes".

President KELLY—As there is no objection, Councilor Carey is recorded "yes" on the police pay bill.

REPORT OF COMMITTEE ON PARKMAN FUND.

Coun. LANE, for the Committee on Parkman Fund, submitted the following:

Report on message of Mayor and order (referred April 14) for appropriation of \$48,000 from income of George F. Parkman Fund to be expended under direction of Park Commissioners—that same ought to pass.

The report was accepted, and the question came on the passage of the order. The order was passed, yeas 18, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Fish, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, McCormack, Moriarty, Muchnick, Russo, Scannell—18.

Nays—0.

OUT-OF-TOWN CRUISING CABS.

Coun. COOK offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to take such steps as are necessary to enforce the cab regulations preventing out-of-town taxis from cruising in the City of Boston.

Coun. COOK—Mr. President, I am sorry the various people interested in the raise to the Police Department did not stay to hear this. This order was brought about by some complaints I received from Boston cab drivers who complained that the regulation against keeping out-of-town taxi drivers from cruising in our city is not enforced as strictly as it should be. At least 200 out-of-town cab drivers are picking up business in our city, and others have told me when they go to another town they are picked up immediately if they have a cab fare. It seems to me the Police Department, who are in the service not only to protect our property and our lives, should make sure that the residents of the City of Boston get fair protection to which they are entitled in the carrying out of their business, trades or professions. Certainly, the cab drivers of Boston who cannot go into out-of-town neighborhoods to pick up fares should not be competed with unfairly by those who come in from other cities. I hope, sir, this order passes under suspension of the rules.

The order was passed under suspension of the rules.

HOUSING FOR VETERANS.

Coun. LINEHAN, MORIARTY and COOK offered the following:

In view of the fact that six of the major veterans' organizations have banded together to get action on low-cost housing for veterans, be it

Resolved, That the Boston City Council in meeting assembled endorse the program of the Massachusetts Allied Veterans' Housing Council and do everything to get action on housing for veterans; and be it further

Resolved, That a copy of this resolution be sent to the Massachusetts Delegation in Congress.

Passed under suspension of the rules.

INADEQUATE LIGHTING ON SUMNER, ANNABEL AND WILLIS STREETS.

Coun. LINEHAN offered the following:

Whereas, As a result of the inadequate street lighting conditions in the vicinity of Sumner, Annabel and Willis streets many unfortunate accidents and crimes have taken place causing many complaints from the citizens; therefore be it

Ordered, That his Honor the Mayor request the Public Works Commissioner to make a study of said inadequate street lighting facilities with a recommendation to substitute the new type of electric street lights for the old type gas lamps, along with some additional street lights to be installed in other locations in said area, and further that said locations shall consist of Sumner, Annabel, Willis streets and other streets in that area.

Passed under suspension of the rules.

OPPOSITION TO HOUSE BILL 2079.

Coun. RUSSO offered the following:

Resolved, That the Boston City Council in meeting assembled go on record as opposed to the passage of House Bill 2079 which provides the prohibiting the publication in the Boston City Record of the substance of debates in the City Council of the City of Boston.

Coun. RUSSO—Mr. President, to my surprise I was informed that this House 2079, which, as I understand it, has passed the lower branch of the Legislature — I don't know who presented this bill or who the ones are behind the scene. However, I believe there must be some powerful forces behind this bill when it has already passed the lower branch of our Legislature. Mr. President, I believe that the members of the City Council ought to give

weight to this bill and the purpose for which it might be intended. I don't know why this bill should have been presented. If the City Council thought there was no need of making any public record, if they believed that the people of the City of Boston don't want any record of things, we have it within our power to eliminate the publication of the *City Record*. I am only wondering, Mr. President, if this bill which is being heard in the Senate either today or some day this week, if it passes the Senate and it is enacted, what it will give these individuals who may be behind the scene, and I say there may be even some powerful newspapers behind it, what can happen? We would have no record in order to substantiate any attack that might be made upon any one member or upon the City Council as a whole. It would give too much power to these men behind the scenes to attack any one of us or the whole Council, and attack in any way they see fit, and we would have nothing to substantiate the truth. Aren't the people of the City of Boston entitled to know the actions of their respective City Councilors? I know the people I represent want to know my actions and the manner in which I conduct myself and the manner I vote and the manner I speak.

Coun. MUCHNICK—Mr. President.

President KELLY—Councillor Muchnick, for what purpose does the gentleman arise?

Coun. MUCHNICK—Will the gentleman yield for a question?

President KELLY—Councillor Russo?

Coun. RUSSO—No, Mr. President.

President KELLY—I am sorry, councillor. Councillor Russo.

Coun. RUSSO—If this bill is enacted, they can accuse each and every one of us with anything they desire. I question, Mr. President, the constitutionality of this bill because I believe they will be infringing upon the right of our freedom of speech. That is what they are trying to do, trying to eliminate freedom of discussion. It was the same thing, Mr. President, with another bill which came up last week, a bill also pertaining to the Boston City Council, to the Mayor and to the School Committee, which almost went by without any quarrel whatsoever, whereby any member of the City Council or the Mayor or the School Committee could not be employed in any other public position. I wonder why the members of the State Legislature were not included. What was the reason? I don't believe that there are any members of the Boston City Council who are working for the state, but I know quite a few of the men representing the state may be working for cities or towns. The argument which may be used in order to enact this bill is that most of the people do not read it and that it costs some money for the printing. I say the money we spend in any of the deliberations we have is well worth it in order to inform the people of the City of Boston of every move and every step we take while we are representing them. Therefore, Mr. President, without taking more time, may I say I hope the City Council goes on record as in opposition to such tactics because I believe that if it had not been for the record of the City Council, perhaps the City Council as a whole would have been ridiculed by some of these men more than what they have tried to do. Therefore, I hope the order will pass under suspension of the rules.

Coun. MUCHNICK—Mr. President, while I don't believe the major purpose of printing the *City Record* is for the purpose of defending the members of the Council against attack, and while I also don't believe that it in any way violates the concept of the freedom of speech to eliminate the printing of these debates for the *City Record*, it seems to me that there may be some sound reason for the adoption of this statute if and when we find out exactly what the statute says. I had intended to find out from Councillor Russo among other things. There are many other questions that probably could be asked about the purpose and the intent of the statute if we had it before us, and possibly we might ask for some explanation on parts of it from our own Law Department. Under those circumstances, I move that this be sent to the Committee on Legal Affairs until such time as it can be properly studied.

President KELLY—I am sorry, councillor, we have not such a committee.

Coun. MUCHNICK—Under those circumstances, I make a motion that it be referred to the Executive Committee and that the Messenger be asked to procure copies of the Act so that we may discuss it, preferably today.

President KELLY—The motion is to refer this matter to the Executive Committee.

Coun. RUSSO—I have it before me, and I intended to read it. House 2079 reads as follows:

"Section 29 of Chapter 486 of the Acts of 1909 as most recently amended by section 1 of Chapter 185 of the Acts of 1934, is hereby amended by adding at the end of the last sentence the following clause:—Provided, that the substance of debate by and among the members of the City Council shall not be so published.

"Section 2. This act shall take effect upon its passage."

I believe all that this tries to do is to eliminate freedom of speech. Yes, it will infringe upon that for the simple reason that if we cannot have as a public record our debates in the City Council, you cannot be properly either protected or safeguarded, against anyone. I believe in the old saying of Al Amith, and God have mercy on his soul, "Let us look at the record." That is the only thing that any person has to go by. I have been a member of the City Council going on eight years, and in these eight years, if I have made any mistakes, then I am the one to be blamed for them, and if I have done the right thing, then at least my conscience is clear. I say we ought to have the record, and the record shall speak for itself. If we do not print as a matter of public record any discussion that takes place in our debates, how can you have any proof of what we said and what we did? The Congress of the United States has a public record, and that is the only thing which can go by. The people are entitled to know of all our acts regardless of what they might be. They are entitled, if they want to take the time, to look up the record of what a person did and what he said. They are entitled to know. We cannot be in Congress every day of the week in order to find out what they do. Neither can the people of the City of Boston come here every Monday to find out what the Council does, but they have a public record that tomorrow they cannot deny and neither can we.

President KELLY—The motion is to refer this order to the Executive Committee. Councillor Bayley.

Coun. BAYLEY—Mr. President, I hope this matter will be referred to the Executive Committee, or, possibly in the alternative, to the Committee on Printing or Legislative Affairs. I think we should look into this matter before we act too hastily. I don't agree with everything the distinguished councillor from Ward 3 (Councillor Russo) has said, and I have the highest regard for him, but I feel quite strongly perhaps there is too much talk in the Council. I have an idea this bill aims to reduce the expense to the city that we incur by extensive talking. I understand last year there was an extra appropriation of \$5,000 for printing and extra paper to print the remarks we made. Mr. President, as I understand it, the Massachusetts Legislature does not print every word that is said in debate. What is printed are motions, orders and roll calls. As I understand this bill, we would still have the record of what motions we made and the roll calls. The fact that some of us councillors, and I occasionally am one, get up and talk too long does not mean we are necessarily more important or influential. As a matter of fact, of the councillors over there, one did not speak for four months last year, and I have the highest regard for him; in fact, I have the highest regard for the gentleman across the Chamber who did not speak at all, but whose vote counts just as much as ours. I have never had a constituent of mine but once who ever looked at the Council Proceedings to see what I had to say or not to say. I think the state may be in the right, and that there is a lot to be said about not printing in the *City Record* every word we say, if the motions are reported, and, of course, the roll calls in the same way as the legislative proceedings are put down. I think perhaps that might be enough. I hope this matter is referred to the Executive Committee where it may be thoroughly discussed and find out the reasons behind the bill, which I don't know about, so that we may come to a satisfactory decision.

Coun. KINSELLA—Mr. President, for six years I have been perhaps the most industrious opponent of striking from the record, and I can't state my reasons in a way that is different from the reasons stated by Councillor Russo. I think once we reach man's estate and we go into public office, we ought to be held rigidly accountable to everybody for what we say here or elsewhere,

even though this is the only place where a written transcription is made of the remarks or the opinions that we air. We are in a highly vulnerable business and we are in it by choice, and if we leave it we leave it by choice under only one set of conditions, and that is by voluntary retirement, and I don't know but a handful who have used that technique over the years. Those of us who get out generally get out as the primary result of a viciously contested ward contest, and often the wrong man is elected because of misconstruction placed on something he said and which he can never prove he said in a more scholarly or more gentlemanly way. That fate very nearly overtook me in 1943. By all the rules of chance, I should not have had a contest at all, but something I said in 1942 was designated in an erroneous fashion, and I was hard put to it to convince people from the printed record I stopped where my opponent said I stopped. He made me culpable, but to go along and read the full statement I made was to absolve me, which it did. You may say, he is talking for selfish reasons. No, because I can't guarantee to come back here any more than any one of you can. I am talking, Mr. President, from the point of view of being held strictly accountable for what we said, and if we are going to be held accountable for what we say by reason of a printed record, it is then as plain as a pipe stem that your opponent, whoever he may be, cannot purposely and deliberately and wilfully for personal profit distort or twist or misshape or prostitute any of your remarks. We have made some serious statements here on the floor concerning both orders that have come up and personalities, unfortunately, but that is perhaps a luxury we allow ourselves because we are a small Body. It is not anything to the Legislature's credit that they do not print every word, yet, if you listen up there, you will find from time to time their utterances often exceed ours in plain downright stupidity, and all of you will agree with me we have been somewhat stupid in our utterances, and I have been as guilty as any. But I want to be held accountable for them, I don't want any newspaper held up in my presence when I am seeking re-election, with seven or eight lines, composed of thirty or forty words as written, of what I said. I don't want it that way. I want a full transcription of what I said so that no part of it can be twisted or distorted to do me harm that I don't deserve and to hold me up to the scorn and contempt and ridicule of people who, if they go on these small bits of news printed, are going just the way you might expect, but who have a right to know what I said on this occasion. We all go before the bar of public opinion whenever we seek public office. No lawyer wants as much as one word taken out of the transcript of any evidence given in court if he intends to appeal a case of make some other legal use of the transcription. If it is highly a selfish and personal request, it does not start with me alone. What about the inestimable damage one of us could do to another if the remarks do not appear in the record. One of us could say to the other that he said this and so, even though he might not have voted on the thing when the record does not show he said any such thing, and he has no defense against the slanders that may well cost him a job he richly deserves to hold if he can and wants it. It is not strictly personal, and it cannot be said to be purely selfish because none of us know for a dead certainty we are coming back here; therefore, the common sense of my remarks applies to those component parts that will make up any future Council. A few years ago the councilor from Ward 9 had an unfortunate experience with a fellow member, a bitter, acrimonious debate that never should have taken place, but which was the result, as they all knew, from one word betgetting another, and he was advised not to agree to strike from the record. The gentleman today will agree with me that the only way he had to protect himself come election day not too many months after the incident took place was the written record of his literal remarks, but which had been twisted and misshapen in a ward paper. A recapitulation of what I have said can be made in 25 words. If you don't care how your best remarks are misinterpreted by somebody who has no other tool to use against you, by all means become more vulnerable by getting this approval. It ill becomes the Massachusetts Legislature, Mr. President, with all the vitally important matters that are yet to be considered, that they

can concoct or conceive or devise a legislative act which deprives any municipal body of the right to have its utterances and statements properly and precisely recorded. There are far more important things, if I am not misinformed, that the Legislature has to contend with from now until prorogation. By no manner of means can I agree one of the important things to come before their attention in this session is the question of perpetuating the oratory of the Boston City Council. A moment's reflection will prompt every member present, Mr. President, to say that even if we do not bring the defence that the printing of these papers costs us money, at least the people of Boston, whether they read the thing or not, have access to the *Record*. The people of Boston have a right to know how we do express ourselves, even the vulgar, almost obscene language that has been used in this Chamber has found its way into the *Record* because we demand and we get true, precise reporting of everything we say. The things we do that are official that always follow our oratory will be in there, anyway. Mr. President, you were here in 1942 when I had occasion during a debate to say that, "If we did not change our tactics, we would soon find our representation coming from Beacon Hill where so far they have indicated the good sense and good breeding as not to fight among themselves," and the newspapers did not carry the tag line, "as not to fight among themselves." It was held up in my ward in 1943 that I said that the City Council membership ought to come from the Back Bay because of their background and their breeding when I actually said that with the proviso that they did not fight among themselves. We here know they don't. On another occasion a certain gentleman present in this Chamber is recorded as having said, "This is one of the worst steals in the history of the city, and I am going to vote for it because it will help a fellow member." Fortunately, it did not penalize him because he did not mean it literally, as he uttered it literally, but he said it. I don't know why he should not be held accountable for it. And the nice things that are said here, too, what is to be said about those? What is to be said of all the very nice things that are said? No record of that? I think the General Court might concern itself more with other and more important legislation than to pass an act that forbids us to be quoted in the *Record* as though like little children we shall be told that if we do not say things acceptable to them, we will say nothing at all that appears later for perusal. I don't think this ought to go to Executive. Everyone here has an opinion. If he will speak on it in there, he will speak on it here, and I venture to say many agree with my statements. There are nice things that come out in that *Record*, and there are gems to refer to later on. Let us not be too harsh on the things that are not gems, but gems or not, they ought to be in there, and they ought to stay, and those who make them, stand or fall on them.

Coun. RUSSO—Mr. President.

President KELLY—The question is on referring this to the Executive Session. Councilor Russo.

Coun. RUSSO—I hope this does not go into Executive for any delaying tactics that might be used, and the reason for that is, as I understand it, this bill is either being heard in the Senate today or will be heard tomorrow, and unless we take action, at least go on record as saying we are opposed to this act, then it will be enacted because it has already passed the lower branch of the Legislature. I ask you, each and every one of you, if this bill goes through, isn't that a direct challenge to the home rule of the City of Boston. As the councilor from Ward 2 has well stated, I believe the Legislature has more important business before them to take up their time than on this bill to deprive the people of the City of Boston of the truth, and the only way that you can substantiate the truth is when it is on the record. It means nothing to me personally. I have always opposed anything to strike out from the *Record* because I am a firm believer that every time we take the floor, we ought to know what we are talking about, and all our acts should be down as a matter of record. Again, I must say, as the councilor from Ward 2 has brought out, anyone can take a line or two from the *Record* and switch it any way they see fit. Just imagine if we did not have the *Record*, what they could do to misinform the people of the City of Boston in the manner in which the City Council conducts

itself. As I have always said, there is an old saying I have known since I was a child, and it stands true today, that a clear conscience has no fear of thunder, but, however, unless you have a record to go by, whether you are serving in this Body today and you may not be serving in this Body tomorrow, at least each and every one of us and those who come after us when we are gone out of this Body, at least can say to themselves, "There is the record, and I am the only one to be responsible for my acts." I urge upon you to pass this today, and to give notice to the Senate that we, the members of the City Council, are opposed to this bill. If we thought that the record said nothing, then it is within our rights, we have the power to do it, to eliminate the record, but up to this day there is a record before us and there will be a record after us that we can always go into it. That great statement of Al Smith which he made famous, "Let's look at the record," is as true today as it was then, and will be true tomorrow.

President KELLY—The question comes on referring this order to the Executive Session. All those in favor, say "aye," those opposed, "no." The Chair is in doubt and asks for a rising vote on referring it to the Executive Committee. All those in favor, please rise. Six. Those opposed will please rise. It is not referred to the Executive Session.

Coun. MUCHNICK—Mr. President, I doubt the vote and ask for a roll call.

President KELLY—Councillor Muchnick doubts the vote and asks for a roll call, and sufficient councillors having supported him, the Clerk will call the roll.

The motion to refer to the Executive Committee was lost, yeas 7, nays 9:

Yeas—Councillors Bayley, Bryan, Cantwell, Chase, Cook, McCormack, Muchnick—7.

Nays—Councillors Fish, Keenan, Kelly, Kinsella, Linehan, Moriarty, Russo, Scannell, Sullivan—9.

President KELLY—Seven in the affirmative and nine in the negative, and the motion is lost. The question comes on suspension of the rules.

Coun. BAYLEY—I move this be referred to the Committee on Legislative Matters.

Coun. KINSELLA—Mr. President.

President KELLY—Councillor Bayley makes a motion that this be referred to the Committee on Legislative Matters. Talking on the motion, Councillor Kinsella.

Coun. KINSELLA—A point of order.

President KELLY—State your point of order, councillor.

Coun. KINSELLA—Reference to the Committee on Legislative Matters is ineffectual—

President KELLY—The Chair will rule that motion is in order, reference to the Committee on Legislative Matters.

Coun. KINSELLA—A point of information, Mr. President.

President KELLY—State your point of information.

Coun. KINSELLA—Isn't the function of the Committee on Legislative Matters to attempt to influence legislation while the matter pending is before a committee of the Legislature?

President KELLY—That is correct, councillor. If Councillor Bayley wishes to press the motion, the Chair is going to rule the motion is in order.

Coun. BAYLEY—I withdraw the motion and ask that it be referred to the Committee on Printing because this relates to the printing of the Record.

President KELLY—The motion is to refer the matter to the Committee on Printing.

Coun. KINSELLA—A point of order, Mr. President.

President KELLY—Will you state your point of order, councillor?

Coun. KINSELLA—The Committee on Printing deals only with the type and quality of the printing matter to come out of the Printing Department. It has nothing to do with ordinances and legislative action which they may be called upon to print.

President KELLY—The point is well taken. The Chair will rule the Committee on Printing would have nothing to do with printing the City Record. The motion to refer back to the Committee on Printing is out of order.

Coun. BAYLEY—What committee would you recommend it be referred to?

President KELLY—I would recommend it be passed under suspension of the rules.

Coun. BAYLEY—I will refer it to Legislative Matters, and I hope there will be no objection to that.

President KELLY—Councillor Bayley makes a motion that it go to the Committee on Legislative Matters. All those in favor, please rise.

Coun. MUCHNICK—Mr. President.

President KELLY—Three in favor. All those opposed, please rise. The motion is lost.

Coun. MUCHNICK—Mr. President, I doubt the vote and ask for a roll call.

President KELLY—Councillor Muchnick doubts the vote and asks for a roll call. The Clerk will call the roll on whether this will be referred to the Committee on Legislative Matters.

The motion to refer to the Committee on Legislative Matters was lost, yeas 8, nays 8:

Yeas—Councillors Bayley, Bryan, Cantwell, Chase, Cook, Linehan, McCormack, Muchnick—8.
Nays—Councillors Fish, Keenan, Kelly, Kinsella, Moriarty, Russo, Scannell, Sullivan—8.

President KELLY—The question comes on passage under suspension of the rules. All those in favor say "aye," those opposed "no." It is opposed.

Coun. BAYLEY—Mr. President, I doubt the vote under suspension of rules and ask for a roll call. I doubt the vote and ask for a roll call, Mr. President.

President KELLY—Councillor Bayley doubts the vote and asks for a roll call, and the Clerk will call the roll.

The roll call resulted as follows:

Yeas—Councillors Fish, Keenan, Kelly, Kinsella, Moriarty, Russo, Scannell, Sullivan—8.

Nays—Councillors Bayley, Bryan, Cantwell, Chase, Cook, Linehan, McCormack, Muchnick—8.

President KELLY—The vote is eight in the affirmative and eight in the negative, and the motion to pass under suspension of the rules is declared lost. The Chair will refer the order to the Executive Committee.

Coun. BAYLEY—Mr. President.

Coun. MUCHNICK—Mr. President, a point of order.

President KELLY—State your point of order, Councillor Muchnick.

Coun. MUCHNICK—The motion having been defeated, by what right does the President refer it to anything?

Coun. BAYLEY—I join with the councillor.

Coun. RUSSO—Mr. President.

President KELLY—Just one minute. The Council refused to suspend the rules to pass it.

Coun. BAYLEY—There was no motion. You had no business—

President KELLY—Councillor Bayley, will you be in order? Councillor Muchnick is recognized.

Coun. BAYLEY—Thank you.

President KELLY—The Chair can always refer a matter to the Executive Committee unless there is an objection.

Coun. BAYLEY—I object.

Coun. RUSSO—Mr. President.

President KELLY—Councillor Bayley objects to this being sent to the Executive Committee. Councillor Russo, for what purpose does the gentleman arise?

Coun. RUSSO—I ask reconsideration of the vote.

Coun. KINSELLA—A point of order, Mr. President.

President KELLY—Will you state your point of order.

Coun. KINSELLA—The objection was after the Chair announced the transferral, I think.

President KELLY—One minute, now. The Chair is trying to be fair in the matter, and the Chair realizes if this is not disposed of today, it will appear on the Calendar next Monday as unfinished business, and the Chair realizes that Councillor Russo wants to dispose of the matter today, and that is why he referred it to the Executive Committee. The Chair realizes it will be of no benefit to Councillor Russo next Monday as unfinished business. Now, is there any objection to having it referred to the Executive Committee?

Coun. BAYLEY—Yes.

President KELLY—Councillor Bayley objects.

Coun. RUSSO—Mr. President, I move reconsideration.

President KELLY—On the suspension of rules? Coun. RUSSO—On the vote just taken.

President KELLY—It won't do you any good, councillor, because you need fifteen votes for the suspension of rules.

Coun. RUSSO—To reconsider it?

President KELLY—You need fifteen votes to pass it under suspension of rules. The Chair will accept the motion to refer this to the Executive Committee.

Coun. RUSSO—That is what I want to do.

President KELLY—Councilor Russo makes a motion that it be referred to the Executive Committee. All those in favor say "aye," those opposed, "no." It is ordered. The matter is referred to the Executive Committee.

The order was referred to the Executive Committee.

Coun. SULLIVAN in the chair.

TRAFFIC CONGESTION IN ROSLINDALE SQUARE.

Coun. BRYAN offered the following:

Ordered, That the City Planning Board be requested, through his Honor the Mayor, to make a study of the elimination of traffic congestion in Roslindale square and the possibility of extending Belgrade avenue, from South street to Washington street, also the establishment of off-street parking sites.

Passed under suspension of the rules.

RESCISSION OF LOAN ORDER.

Coun. MORIARTY—Mr. President, I move that No. 1 be taken from the Calendar and referred to the Committee on Rules.

No. 1 on the Calendar was as follows:

1. Order to rescind loan order for \$5,000,000 for off-street parking facilities.

President KELLY—Councilor Moriarty moves that No. 1 on the Calendar be taken from the table and referred to the Committee on Rules. The question first comes on taking it from the table.

The motion to take from the table was carried and the question came on referring to the Committee on Rules.

Coun. MUCHNICK—Mr. President, it seems to me that taking No. 1 from the table in order to refer it to the Committee on Rules can accomplish no purpose. This is something which we have been discussing for some time now. All of us are familiar with it and if it must go to some committee, however, it should go back to the Executive Committee or the Committee on Finance. But what the Rules Committee can do with this other than possibly hold it up for a week or two and then come back with some kind of report which would not have any standing, I can't see. If I am in order, I would like to make that motion, to strike out the words "Rules Committee" and that there be substituted in its place the "Executive Committee."

President KELLY—Councilor Muchnick moves to amend the motion by striking out the words "Rules Committee" and inserting "Executive Committee."

The motion was carried, and No. 1 on the Calendar was referred to the Executive Committee.

FENCE AROUND JOHN W. MURPHY PLAYGROUND.

Coun. McCORMACK and MORIARTY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to increase the height of the fence surrounding the John W. Murphy Playground, Jamaica Plain, for the protection of the abutting properties which have been damaged as a result of baseballs going over the present inadequate fence.

Passed under suspension of the rules.

PAYMENT TO FAMILY OF ANTHONY TAMMARO.

Coun. McCORMACK and CANTWELL offered the following:

Ordered, That the Corporation Counsel of the City of Boston be requested, through his Honor

the Mayor, to prepare and submit the necessary legislation for reimbursement to the family of the late Anthony Tannaro of 289 Walk Hill street, Jamaica Plain, who lost his life as a result of falling in a sewer, and which was due to the negligence of the City of Boston in allowing said sewer to be open without a proper cover.

Passed under suspension of the rules.

SALARY RANGE FOR FIRE DEPARTMENT MEMBERS.

Coun. MUCHNICK offered the following:

Ordered, That his Honor the Mayor instruct the Fire Commissioner to take steps to provide immediately a salary range for the members of the Fire Department equal to the newly adopted salary range for members of the Police Department.

Coun. MUCHNICK—Mr. President, earlier Councilor Kinsella touched on the same subject when he said that he felt that the members of the Fire Department should be treated in an equal fashion with the members of the Police Department. I did not want at that time to inject this particular issue until such time as the Police Department act had been accepted. It is a sad commentary of the City of Boston that the Police Department had to circumvent the present administration in order to get what is justly theirs, and it is equally sad commentary for us to expect Home Rule, if under such circumstances when the administration has a right to exercise Home Rule properly, it does not see fit to do so. The firemen have not yet taken the step that has been suggested to them of trying to get a raise by going over the heads of the city and going directly to the State House and asking for what is properly and justly theirs, such as justly belonged to the Police Force. Traditionally in Boston as in most major cities, the Fire Department and the Police Department are always kept on an even keel. The Mayor and the Fire Commissioner, in order to do justice to the firemen, should take immediate steps to see to it that they come into the same salary range classification as the policemen did within the past hour. I know that many people are going to get up and say it will cost us almost three-quarters of a million dollars this year, and over a million dollars next year for the police alone, and I know many people also will double those figures in order to take care of the firemen, and they are going to say further, "Where are we going to get the money, with the increased tax rate and everything that goes with it?" There are two answers to that, Mr. President: either necessary economies can be practiced, and I refer again to the situations like the voting machine custodians, or if that is not enough to raise the money, and the people of Boston want all these services and if they want them performed by competent men, they will merely have to pay a higher tax rate in order to get the services performed properly. It is an old axiom, you can't have your cake and eat it, too, and either we are going to give the men, particularly in these days of inflation what they normally deserve and what they must have in order to support families on a fairly decent level, or we are not going to have the right type of firemen and policemen when they can do better on the outside. I urge suspension of the rules and the passage of the order with the hope that the Mayor and the Fire Commissioner will do something about it.

Coun. RUSSO. May I have the order read again?

(The order was read by the Clerk.)

The order was passed under suspension of the rules.

Coun. BAYLEY—Mr. President, I ask unanimous consent to make a statement.

President KELLY—Councilor Bayley asks unanimous consent to make a statement. Is there any objection?

Coun. RUSSO—I object.

RECESS.

On motion of Councilor Russo the Council voted at 3.55 p. m., to take a recess, subject to the call of the Chair. The members reassembled and were called to order at 5.50 p. m., by President KELLY.

FLAGPOLE ON MURRAY PARK
PLAYGROUND.

Coun. MADDEN offered the following:

Ordered. That the Park Commission be requested, through his Honor the Mayor, to erect a flagpole on the Murray Park Playground in North Brighton, Ward 22.

Passed under suspension of the rules.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred May 5) for appropriation of \$75,000 for purchase of Eastern Avenue Wharf—that same ought to pass.

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

Coun. HANNON—Mr. President, I am voting against the acceptance of this order because I have been reading in the newspapers about the proposed development of the Port of Boston. If the Port of Boston is going to be developed, I think we might well wait for a year or two and pay the rental, if necessary, of \$4,000 a year to see what transpires in the Port of Boston. That is my reason for voting against it.

President KELLY—The question now comes on the passage of the order, and the Clerk will call the roll.

The order was rejected, yeas 10, nays 3:

Yeas—Councilors Bayley, Carey, Chase, Fish, Kelly, Kinsella, McCormack, Moriarty, Russo, Scannell—10.

Nays—Councilors Cantwell, Hannon, Keenan—3.

Present—Councilor Sullivan—1.

President KELLY—Ten in the affirmative and three in the negative, and the order is rejected.

Later in the session Councilor Fish said: Mr. President.

Coun. McCORMACK—Mr. President.

Coun. BAYLEY—Mr. President.

President KELLY—Councilor Fish, for what purpose does the gentleman arise?

Coun. FISH—If I heard you correctly, the order for the appropriation of \$75,000 was rejected?

President KELLY—I said it was rejected. It requires 15 votes on two readings.

Coun. FISH—It is not then, the same as the regular annual appropriation?

President KELLY—It is an appropriation for the purchase of land, therefore it is the same as a loan order. It requires 15 votes and two readings at least 14 days apart.

Coun. FISH—Then I move reconsideration.

The motion to reconsider was carried.

Coun. SULLIVAN—Mr. President.

Coun. FISH—I move it be tabled until the next meeting.

President KELLY—Councilor Fish moves it be tabled until the next meeting.

The motion to table the matter until the next meeting was carried.

2. Report on message of Mayor and orders (referred today) renaming of eleven intersections in memory of deceased war veterans—that same ought to pass.

The report was accepted, and the orders were severally passed.

3. Report on order (No. 1 on Calendar) to rescind loan order for \$5,000,000 for off-street parking facilities (referred today)—that same ought to pass.

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

Coun. FISH—How many votes, Mr. President?

President KELLY—Fifteen votes, councilor.

The Clerk will call the roll.

The roll was called, with the following result:

Yeas—Councilors Bayley, Cantwell, Carey, Fish, Hannon, Kelly, Kinsella, McCormack, Moriarty, Russo—10.

Nays—Councilors Keenan, Scannell—2.

Present—Councilors Chase, Sullivan—2.

President KELLY—Ten in the affirmative and two in the negative, and the order is rejected.

Coun. HANNON—I move reconsideration.

President KELLY—Councilor Hannon moves reconsideration. Councilor Fish.

Coun. FISH—I move reconsideration.

The motion to reconsider was carried.

Coun. FISH—I move it now lay on the table.

The motion to lay on the table was carried.

4. Report on order (referred today) that Council opposes passage of House Bill 2079 re prohibition of publication in *City Record* of substance of debates in City Council—that same ought to pass.

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

President KELLY—Now the question comes on the passage of the order. All those in favor say "aye," those opposed, "no." It is a vote.

Coun. BAYLEY—I ask for a rising vote.

May I have a rising vote?

President KELLY—Do you doubt the vote?

Coun. BAYLEY—I ask for a rising vote.

President KELLY—Councilor Bayley doubts the vote and asks for a rising vote. All those in favor, please rise. Nine. Those opposed please rise. The order is passed.

Coun. BAYLEY—I doubt the vote and ask for a roll call.

President KELLY—Councilor Bayley doubts the vote and asks for a roll call.

Coun. KEENAN—Mr. President.

President KELLY—Just one minute. Does anybody join Councilor Bayley. Not enough having joined, there will be no roll call.

5. Report on order (referred May 5) that Transit Department suspend their request for public bids pertaining to renting of autotrucks, Rapid Transit Facilities, East Boston district—that same ought to pass.

The report was accepted and the order was passed.

Adjourned, on motion of Councilor Scannell, at 5.58 p. m., to meet on Monday, May 19, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 19, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the Chair. Present, all of the members. The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

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

Constables, for term ending April 30, 1948, authorized to serve civil process upon filing of bond: Angelo Michael Russo, 1117 Saratoga street, East Boston, Mass.; Henry Ward, 60 Seaver street, Roxbury, Mass.

Constable to serve without bond and without authority to serve civil process for term ending April 30, 1948: Charles J. Lennon, 101 Anawan avenue, West Roxbury, Mass.

Weighers of Goods for term ending April 30, 1948: Shirley E. Perry, 19 Cottage road, West Roxbury, Mass.; Paul G. Ehler, 105 Upham street, Melrose, Mass.; L. Nathan Buker, 375 Hyde Park avenue, Roslindale, Mass.

Weigher of Coal, for term ending April 30, 1948: Daniel V. Henderson, 18 Grady court, East Boston, Mass.

Severally referred to the Committee on Constables and Confirmations.

INCREASED APPROPRIATION, SUPREME JUDICIAL COURT.

The following was received:

City of Boston,

Office of the Mayor, May 19, 1947.

To the City Council.

Gentlemen,—I have been advised by the Budget Commissioner that it will be necessary to increase the appropriation of the Supreme Judicial Court by the sum of \$1,500. This month the court has approved and ordered paid to Nelson B. Vanderhoof the sum of \$1,725 for services as master in a Supreme Court case. Therefore, an additional \$1,500 is requested to be assigned to B-35, Fees, Service of Venires, etc.

There was no way of estimating the amount necessary in advance for this item, as it is entirely dependent on appointment of masters and auditors by the court as the necessity arises.

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

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That the respective sum of money specified in the schedule hereinafter set out be, and hereby is, appropriated for the purpose hereinafter specified, said sum to be raised by taxation on the polls and estates in the City of Boston, and that all orders heretofore or hereafter passed by the City Council relating to appropriations, taxes and the interest thereon, apply to the appropriations and taxes herein provided for.

Supreme Judicial Court.

B-35, Fees, Service of Venires, etc..... \$1,500

Referred to Executive Committee.

EASEMENTS IN HOOSAC PIERS PROPERTY.

The following was received:

City of Boston,

Office of the Mayor, May 5, 1947.

To the Honorable City Council.

Gentlemen,—Gerald Henderson, Chairman, Commonwealth of Massachusetts, Port of Boston

Authority, informs me that the Commonwealth acting through this Authority has entered into an agreement for the purchase of the Hoosac Piers property in Charlestown from the Boston and Maine Railroad and for the lease to the railroad of such property and the pier facilities to be constructed thereon. Mr. Henderson further informs me that the Commonwealth has received a deed from the railroad conveying such property and that the conveyance is subject to certain common sewer and surface drainage rights and easements in the City of Boston in said property and that the Authority would like the City of Boston to abandon and release such rights and easements and convey same to the Commonwealth so that the Commonwealth may own such property free and clear from such rights and easements.

At my request the Corporation Counsel and the Commissioner of Public Works have caused a legal and factual examination of the city's rights in the so-called Hoosac Piers property in the Charlestown district.

The Corporation Counsel informs me that the property in question, the Hoosac Piers, is situated on the southeasterly side of Water street, between Charles River avenue and the United States Navy Yard; that the entire block of property within the aforesaid bounds and running to low water line belonged to the inhabitants of the town of Charlestown; that at various times the town sold parcels of said property to individuals reserving to the town certain rights and easements in the granted properties and later after Charlestown's incorporation as a city in 1847 the city sold the remaining parcels of said property reserving like rights and easements for common sewer and surface drainage purposes. The Corporation Counsel further informs me that the title to Hoosac Piers property is in the Commonwealth of Massachusetts and is subject to certain rights and easements in the City of Boston for common sewer and surface drainage purposes and that in order to accede to the request of the Port of Boston Authority it will be necessary that action by your Honorable Body be taken to effect an abandonment of certain of such rights and easements and the retention, substitution and relocation of other of such rights and easements.

The Commissioner of Public Works informs me that he has made an investigation of the property and that the city has no further need of certain of such rights and easements in the Hoosac Piers property and recommends that same be abandoned (see "A" and "B" on plan referred to and accompanying the attached order) but that it is necessary that the city maintain an existing 48-inch diameter pipe overflow located in said property and that the existing overflow be relocated and constructed at the expense of the Port of Boston (see "C," 1-2, 2-3, and 2-4 on the plan referred to and accompanying this report).

The Port of Boston Authority through its attorneys, Foley, Hoag and Eliot, has informed the Corporation Counsel that the proposed abandonment, relocation and construction of said common sewer and surface drainage facilities as set forth in the accompanying order, plan and letter have been approved by said Authority.

To aid you in your better understanding of this project and in your consideration of the accompanying order I transmit herewith the following papers: (1) letter, Commonwealth of Massachusetts, Port of Boston Authority to Mayor, City of Boston, dated March 10, 1947; (2) letter, City of Boston, Commissioner of Public Works to Mayor of Boston, dated April 21, 1947; (3) letter, Foley, Hoag and Eliot to Assistant Corporation Counsel, City of Boston, Law Department, dated May 1, 1947; (4) plan marked "Plan of Land of Commonwealth of Mass., Port of Boston Authority at Hoosac Dock, Charlestown," "City of Boston, Public Works Department, Sewer Division, Robert P. Shea, Division Engineer, April 8, 1947."

I transmit to you herewith an order whereby the aforesaid may be accomplished and it is my considered opinion that the City of Boston should join with the Commonwealth of Massachusetts, Port of Boston Authority in that Authority's proposed development of the Hoosac Piers and therefore I urgently recommend consideration and passage of the accompanying order by your Honorable Body.

Respectfully,

JAMES M. CURLEY, Mayor.

Whereas, The Inhabitants of the Town of Charlestown by deed dated October 11, 1830, recorded with Middlesex South District Deeds, Book 358, page 10, conveyed to Charlestown Wharf Company certain lands and flats in the Charlestown district "reserving to said Town the right in a common sewer in said dock and the right to extend and maintain the same to low watermark"; and

Whereas, The Inhabitants of the Town of Charlestown by deed dated March 19, 1836, recorded with Middlesex South District Deeds, Book 352, page 67, conveyed to William B. Swett certain lands and flats "it being understood that the town shall have the right to lay a common sewer through the premises hereby released at any time hereafter without being subject to damages"; and

Whereas, The City of Charlestown by deed dated December 28, 1863, recorded with Middlesex South District Deeds, Book 911, page 79, conveyed to Ann F. Damon a certain parcel of land and flats "said City retaining the right, at any and all times it may see fit, to erect, construct and maintain through said premises a drain or common sewer sufficient for the drainage of that section of said City; and said grantee or her assigns shall preserve a suitable place for the construction of said drain or sewer"; and

Whereas, The City of Charlestown by deed dated December 28, 1863, recorded with Middlesex South District Deeds, Book 911, page 80, conveyed to Jacob Hittinger a certain parcel of land and flats "said city retaining the right, at any and all times it may see fit, to erect, construct and maintain through said premises a drain or common sewer sufficient for the drainage of that section of said City; and said grantee and his assigns shall preserve a suitable place or way for the construction of said drain or sewer"; and

Whereas, The Commonwealth of Massachusetts, Port of Boston Authority, through mense conveyances is the present owner of the lands and flats subject to the aforesaid rights and easements of the Town and City of Charlestown and now of the City of Boston, and said Authority has requested the City of Boston to abandon and release said rights and easements in so far as the same are not utilized; and

Whereas, The Commissioner of Public Works of the City of Boston has declared the said rights and easements as contained in the Charlestown Wharf Company and Swett deeds, above referred to, and now shown within the locations designated as "A" and "B" on the plan hereinafter referred to are no longer required for public purposes and should be abandoned, and the said Commissioner has further declared that the rights and easements referred to above in the Damon and Hittinger deeds and shown within the location designated as "C" on the plan hereinafter referred to should be retained by the City of Boston and should be relocated and extended if necessary in order to enable the Port of Boston Authority to erect and construct the new Hoosac Piers; now, therefore, it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized in behalf of the City of Boston by an instrument in writing satisfactory in form to the Law Department of the City of Boston to abandon the rights and easements reserved to the Town and City of Charlestown and now in the City of Boston and shown within the locations designated as "A" and "B" on the plan hereinafter referred to; and it is hereby further

Ordered, That his Honor the Mayor be, and he hereby is, authorized in the name and behalf of the City of Boston by an instrument in writing satisfactory in form to the Law Department of the City of Boston to release to the Commonwealth of Massachusetts, Port of Boston Authority, all the right, title and interest of the City of Boston in the rights and easements reserved in the aforesaid Charlestown Wharf Company and William B. Swett deeds, hereinbefore authorized to be abandoned and shown within the locations "A" and "B" on the plan hereinafter referred to; and it is hereby further

Ordered, That his Honor the Mayor be, and he hereby is, authorized in the name and behalf of the City of Boston to accept an instrument in writing satisfactory in form to the Law Department of the City of Boston whereby the Commonwealth of Massachusetts, Port of Boston Authority, grants to the City of Boston rights and easements for a drain or common sewer and agrees to construct at the sole expense of the Commonwealth of Massachusetts, Port of Boston Authority, said drain or common sewer between the points marked "2" and

"4" within the location designated as "C" on the plan hereinafter referred to, in substitution for like rights and easements now held by the City of Boston between the points marked "2" and "3" within the location designated as "C" on the plan hereinbefore referred to and marked "Plan of Land of Commonwealth of Mass., Port of Boston Authority, at Hoosac Dock, Charlestown"; "City of Boston, Public Works Department, Sewer Division, Robert P. Shea, Division Engineer, April 8, 1947."

Referred to Committee on Public Lands.

SALE OF LAND ON CANAL STREET.

The following was received:

City of Boston,
Office of the Mayor, May 15, 1947.
To the Honorable City Council.

Gentlemen,—The City of Boston is the owner of a parcel of property containing approximately eight thousand eight hundred fifty-eight (8,858) square feet of land together with a three-story and basement brick building with ornamental marble front, containing approximately twenty-four thousand two hundred (24,200) square feet of floor space and situated on the northeasterly side of and numbered 53-85 Canal street, between Haymarket square and Traverse Street tunnel in Boston Proper.

This parcel of land is a part of a large tract of land in this area originally acquired by the City of Boston Transit Commission through eminent domain proceedings for subway purposes. The original subway having been completed, the Legislature by the enactment of St. 1897, chapter 347, authorized the Boston Transit Commission to transfer certain lands acquired for but not required for subway purpose to the City of Boston "to be used for a market or other public purpose." Certain parcels of land so transferred were used by the city for the site of the Haymarket Square Relief Station and the widening of Canal street. The Boston Transit Commission, by St. 1902, chapter 534, and acts in amendment thereof and in supplement thereto, was authorized to take or use for the construction of additional tunnels or subways other portions of said transferred land, and said Commission did use but did not take parcels of such land.

In 1915, in my first administration as Mayor of the City of Boston, I found the parcel of land, the subject matter of the attached order, was not situated or readily adaptable to any public purpose and was lying vacant, unproductive and without taxable benefits to the city. Upon my petition addressed to the Legislature, that Honorable Body, by the enactment of St. 1915, chapter 178, removed the prior legislative restriction as to the use or alienation of said land, "to be used for a market or other public purpose," and authorized the city to lease or sell the same. At my request the Board of Street Commissioners invited bid proposals for the sale or lease of this parcel of land. One bid was received. The bidder presented to the city an offer to lease said land for a term of 40 years at a rental for the land of \$5,000 per year; the payment of annual taxes assessed or a sum equal thereto; and the bidder further offered to build thereon a brick and concrete business building of not less than two stories in height with stores on the street floor to cost approximately \$60,000. Upon my recommendation the City Council on July 12, 1915, unanimously passed an order authorizing a lease of said land to be based upon the aforesaid provisions and upon the additional provision that the said building to be erected and all improvements on said land were to become the property of the City of Boston upon the expiration of the said lease.

The Board of Street Commissioners of the City of Boston, on August 5, 1915, with my approval, entered into an indenture of lease containing the recommended provisions, and the lessee entered upon the premises and erected the building in conformance with the terms of such instrument. The City of Boston as a result of the failure of the lessee and his assignees to pay the rentals and taxes as well as their failure to observe and perform the covenants of said instrument terminated said lease in March, 1937, and the City of Boston subsequently sued and recovered the outstanding indebtedness of unpaid rents and back taxes. This parcel of property has been in the care,

custody, management and control of the Board of Street Commissioners from the date of the termination of said lease.

At a conference recently held by me in my office and attended by the Board of Transit Commissioners and the Board of Street Commissioners, engineers of both departments and a representative of the Law Department, it was determined to be in the best interests of the city that the Boston Transit Commission, prior to any disposition of this property, take through eminent domain proceedings all rights and easements necessary to preserve and protect our transit tunnels and subways in this location. The Transit Department, on May 13, 1947, passed such an order of taking, and said order and plan were recorded in the Suffolk Registry of Deeds on May 13, 1947.

The Board of Street Commissioners informs me that this parcel of property is not devoted to or required for any public purpose; that the records of the Board of Assessors of the City of Boston carry the assessment thereof in total amount of \$75,000 (land, \$44,300; building, \$30,700); and the Board of Street Commissioners further informs me that at its request the Chairman, Board of Real Estate Commissioners of the City of Boston, has made an appraisal of said property and reported ". . . in my opinion, and for public auction purposes, I would suggest an upset price of \$125,000 be set on the said property."

In my opinion this parcel of property situated in a commercial district is not devoted to, nor is it suited or adaptable for, a public use or purpose; that this land and building was specially designed and constructed for business purposes and is ideally located for private enterprise; that this property should not continue in the management and control of the city, but should be sold; that a sale of this property would result in the three-fold measures of the productivity of property in its essential character as business property, the addition to city revenues of the sale price, and the return and addition of such property to the tax assessment rolls.

I recommend that this parcel of property be sold at public auction at an upset price of \$125,000, and your consideration and passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Whereas, The City of Boston owns in fee a certain parcel of land containing approximately eight thousand eight hundred fifty-eight (8,858) square feet, together with the building thereon, situated on the northeasterly side of and numbered 53-85 Canal street, Boston; and

Whereas, The said parcel of land, together with the building thereon, subject to the rights and easements, including the structures therein ("Parcel B" on the plan, hereinafter referred to, of the City of Boston Transit Department) are not required for any public purpose; now, therefore, it is hereby

Ordered, That the Board of Street Commissioners of the City of Boston be, and they hereby are, authorized in the name and behalf of the City of Boston, to sell at public auction at an upset price of one hundred twenty-five thousand dollars (\$125,000) all the City of Boston's right, title and interest in and to said parcel of land, together with the building thereon, hereinafter described, subject, however, to the exception and reservation in the City of Boston of the rights and easements, including the structures therein (shown as "Parcel B" on the plan hereinafter referred to), set forth in an instrument of taking, together with plan filed therewith, for Transit Department purposes, dated May 13, 1947, recorded with Suffolk Registry of Deeds, Instrument No. 91, May 13, 1947; and it is hereby further

Ordered, That his Honor the Mayor of the City of Boston be, and he hereby is, authorized in the name and behalf of the City of Boston, to execute and deliver to a purchaser at said public auction a written instrument satisfactory in form to the Law Department of the City of Boston, conveying all the City of Boston's right, title and interest in and to said parcel of land, together with the building thereon, hereinafter described, subject, however, to the exception and reservation in the City of Boston of the rights and easements, including the structures therein (shown as "Parcel B" on the plan hereinafter referred to) set forth in an instrument of taking, together with the plan filed therewith, for Transit Department purposes,

dated May 13, 1947, recorded with Suffolk Registry of Deeds, Instrument No. 91, May 13, 1947.

Said parcel of land is bounded and described as follows:

Southwesterly by the northeasterly side line of Canal street, two hundred eighty-two and 30/100 (282.30) feet; northwesterly by the southeasterly side line of land of the City of Boston, Traverse street tunnel, thirty-one and 31/100 (31.31) feet; northeasterly by other land of the City of Boston, along the northeasterly face of the "subway wall," two hundred eighty-two and 44/100 (282.44) feet; southeasterly by the northwesterly line of other land of the City of Boston, thirty-one and 43/100 (31.43) feet, containing eight thousand eight hundred fifty-eight (8,858) square feet of land, more or less.

Said parcel of land, the location of the building thereon, the location of the "subway wall," together with the location of the rights and easements, including the structures therein ("Parcel B"), excepted and reserved in the City of Boston for Transit Department purposes, as set forth in the instrument of taking and plan filed therewith, hereinbefore referred to, and all of the aforesaid measurements are shown on a plan marked "City of Boston, Canal street, Boston Proper, May 15, 1947, Thomas F. McGovern, Chief Engineer, Street Laying-Out Department." The original plan is on file in the office of the Street Laying-Out Department, City Hall, Boston, Mass.

Referred to Committee on Public Lands.

PETITIONS REFERRED.

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

Claims.

Dorothy Berman, for compensation for damage to car by fire apparatus.

Vera S. Callahan, for compensation for injuries caused by an alleged defect in Bromley street, Roxbury.

Madeline K. Dolan, for compensation for injuries caused by an alleged defect at 24 Mattapan street.

William T. Fothergill, to be reimbursed for executions issued against him.

Georgian Hotel Company, for compensation for damage to property at Hotel Kenmore, caused by defective water shut-off.

John Hay, to be reimbursed for expenses incurred at 38 Olney street, Dorchester, caused by leak in water pipe.

George Hemon, for compensation for injuries caused by car of School Buildings Department.

Lafayette Fruit Company, for compensation for damage to car by city truck.

Vincent P. McBrine, to be reimbursed for execution issued against him.

Emma V. Robbins, for compensation for damage to clothing caused by an alleged defect in Temple place.

James W. Robinson, to be reimbursed as result of accident which occurred while in performance of duty.

John J. Shea, to be reimbursed as result of accident which occurred while in performance of duty.

Edward L. Villiboseux, for compensation for damage to car caused by an alleged defect at 271 Heath street.

Mary S. Ward, for compensation for injuries caused by an alleged defect in City Hall avenue.

FINANCE COMMISSION REPORT ON ASSESSING METHODS.

The following was received:

City of Boston,
Finance Commission, May 14, 1947.
Hon. James M. Curley,
Mayor of Boston.

Honorable Sir,—Realizing that the time is approaching when you and the Board of Assessors will promulgate a tax rate for the year 1947, the Finance Commission believes it is well to keep before you the evidence that fixing a rate first and making valuations of property fit that rate, regardless of real value, is gradually leading to financial disaster. Striking evidence of this fact is revealed in the present condition of the tax overlay account. For the first time in the history

of the city the overlay set up to take care of mistakes by the assessors in fixing valuations has been completely used up in less than a year following the declaration of the tax rate.

In the years immediately preceding 1946, the overlay was 3 per cent of the net requirements, but in 1947 it was 3½ per cent. That means that the assessors in 1946 provided one half of 1 per cent more than previously, but still it was not enough.

The overlay in the 1946 tax rate computations was \$2,182,112.58. Not only has this amount been entirely absorbed by abatements of the 1946 assessments, but on April 30, 1947, there was a deficit in this account of \$306,381.27.

Customarily, the figures of the abatements granted by the assessors reach the Auditor's books one month after the abatements have been officially granted. The Auditor has informed the Finance Commission that between June of 1946 and March 31, 1947, the assessors granted abatements of the 1946 taxes totaling \$2,488,493.85. Of the latter total, \$2,397,957.64 is charged to abatements of taxes on real and personal property.

The total of abatements of taxes which have been made by the different Boards of Assessors since 1941 has now reached \$29,409,077. It is expected that, before this fiscal year 1947 closes, this figure will be well above \$30,000,000. To a great extent this \$30,000,000 in tax dollars represents valuations of nearly \$700,000,000 placed on property for the purpose of keeping the tax rate down to a lower figure than would otherwise be necessary.

The Finance Commission is attaching to this communication a copy of a letter containing the official figures from the City Auditor. This official statement is corroboration of the contention which has been twice made previously by the Finance Commission and each time denied by the assessors, that abatements of 1946 assessments have nearly equaled the \$57,000,000 increase in total valuations imposed by the assessors in 1946. The abatements of 1946 on real and personal property as given by the Auditor (\$2,397,957.64) represent the taxes on \$57,094,000 valuation.

It is well to keep in mind that the above figure contains only the abatements to March 31, 1947, of 1946 assessments. If the trend of the first three months of 1947 has continued in the month and a half since March 31, it is quite likely that abatements of another \$500,000 in tax dollars have been added. This would mean that approximately \$75,000,000 of 1946 valuations has already been wiped out.

The Finance Commission desires also to give the evidence to support another point made by the Commission which the assessors have disputed. This is in the matter of the specific valuations which were increased in June, 1946, and subsequently erased. It is the Finance Commission's contention that on the larger properties in the city, mostly in the central area, where the abatements granted amounted to \$1,000 or more in tax dollars, the Commission found 177 cases wherein the assessors increased the valuation in June of 1946 over June of 1945 in the amount of \$13,047,700. In these specific cases the assessors later wrote off a total of \$17,516,500. The list of these cases is attached to this report. This list effectively disposes of the assessors' claim that it is not possible to obtain such information "under the assessing system now practiced in Boston."

The Finance Commission has not questioned the merit of any specific abatements. On the other hand, it has questioned the judgment of the assessors in their original determination of the valuations. It was and still is the contention of the Finance Commission that in each of a number of years the valuations have been originally determined to produce a particular rate and have not been based on a fair appraisal of the properties.

Respectfully submitted,
 EDWARD F. MULLEN, Chairman,
 ALEXANDER WHEELER,
 LEO J. DUNN,
 FREDERICK DEANE,
 FREDERICK W. ROCHE,
 The Finance Commission.

ROBERT E. CUNNIFF,
 Secretary.

City of Boston,
 Auditing Department, May 13, 1947.
 The Finance Commission,
 24 School Street, Boston, Mass.

Gentlemen,—The enclosed statement is submitted in response to your request of May 12 for a summary of abatements on 1946 assessments on real and personal property up to and including March 31, 1947. As you will note, the statement is in two parts, the first part showing the abatements made during 1946 and the second part those made during the current year. The totals for the two parts are as follows:

Real property, \$2,022,695.55; personal property, \$375,262.00.

Very truly yours,
 CHARLES J. FOX, City Auditor.

Month Abated by Assessors	Month Received and Used by Auditor	Real Estate	Personal	Polls, Etc.	Total	Grand Total
June, 1946.....	July.....			\$208 00	\$208 00	
July.....		\$39,648 00		6 00	39,654 00	
August.....	September.....	113,198 40	\$2,268 00	582 00	116,048 40	
September.....	November.....	119,729 75	9,538 20	552 00	129,819 95	
October.....		228,483 47	28,245 00	162 00	256,890 47	
November.....		228,342 00	14,708 40	738 00	243,788 40	
December.....	December.....	302,445 24	15,082 40	48 00	317,575 44	
Totals for 1946.....		\$1,031,846 86	\$69,841 80	\$2,296 00	\$1,103,984 66	\$1,103,984 66
January, 1947...	February.....	\$270,289 12	\$64,512 00	\$162 00	\$334,953 12	
February.....	March.....	231,348 60	228,975 20	999 14	461,322 94	
March.....	April.....	489,210 97	11,933 09	87,089 07	588,233 13	
Totals, 1947.....		\$990,848 69	\$305,420 29	\$88,240 21	\$1,384,509 19	\$1,384,509 19
					1946 Overlay.....	\$2,488,493 85
						2,182,112 58
					Deficit, April 30.....	\$306,381 27

PERMITS FOR CHILDREN.

Petitions for children under 15 years of age to appear at places of public amusements were received, as follows:

Esther Lyons, Jordan Hall, May 29
Adolphe Robicheau, Jordan Hall, May 17.
Stanley E. Brown, Boston Opera House, June 11 and 12.

Permits granted, under usual conditions.

ORGANIZATION OF BOARD OF EXAMINERS.

Notice was received from the Board of Examiners of organization of board as follows: George R. McNeil, Chairman, Board Members, John Guarino and Benjamin Gargill.

Placed on file.

ORGANIZATION OF PUBLIC LIBRARY TRUSTEES.

Notice was received of organization of Board of Trustees of Public Library as follows: President, Francis B. Masterson.

Placed on file.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of the following, having been duly approved by the City Treasurer, were received and approved by the Council:

James E. Desmond, Charles A. Wood.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Edith Goldrosen (referred May 12) to be weigher of goods—recommending that appointment be confirmed.

Report on appointment of Roger W. Curtis (referred May 12) to be weigher of goods—recommending that appointment be confirmed.

Report on appointment of William H. Lynch (referred May 12) to be constable authorized to serve civil process upon filing of bond, for term ending April 30, 1948—recommending that appointment be confirmed.

Report on appointment of William G. Campbell (referred May 12) to be constable authorized to serve civil process upon filing of bond, for term ending April 30, 1948—recommending that appointment be confirmed.

The reports were accepted, and the question came on confirmation of the appointments. Committee, Councilors Lane and Kinsella. Whole number of ballots 12, yeas 12, and the appointments were confirmed.

NAMING OF LIEUT. EDMUND J. FITZGERALD SQUARE.

Coun. HURLEY offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of naming the square at the junction of Dudley, East Cottage and West Cottage streets, Roxbury, Lieut. Edmund J. Fitzgerald square, in memory of the late lieutenant who lost his life in defense of his country.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Cantwell the Council voted at 2.16 p. m., to take a recess, subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 4 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of the Mayor and order (referred today) appropriating \$1,500 for Supreme Judicial Court, B-35, Fees, Service of Venires, etc.—recommending that same ought to pass.

2. Report on message of the Mayor and order (referred May 12) appropriating \$5,000 for Auditing Department, B-28, Expert—recommending that same ought to pass.

The reports were accepted, and the question came on the passage of the orders. The orders were severally passed, yeas 12, nays 0:

Yeas—Councilors Bryan, Cantwell, Chase, Cook, Fish, Hannon, Keenan, Kelly, Kinsella, Linchan, Muchnick, Russo—12.

Nays—0.

President KELLY—While we are waiting for the report of the Executive Committee, we will take up the motion of Councilor Kinsella.

MODERN ELECTRIC LIGHTING, BALDWIN STREET, CHARLESTOWN.

Coun. KINSELLA offered the following:

Ordered, That the Street Lighting Division of the Department of Public Works be directed, through his Honor the Mayor, to install modern electric light globes and standards on that portion of Baldwin street, between Bunker Hill and Main streets, Charlestown, Ward 2, Boston, to replace the inadequate gas lights now in use.

Passed under suspension of the rules.

"SLOW-SCHOOL" SIGNS ON MAIN STREET, CHARLESTOWN.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to direct the Traffic Commission to erect "Slow-School" signs on Main street, Charlestown, Ward 2, in the vicinity of the Bunker Hill School, for the purpose of reducing the traffic hazard to children attending this school.

Passed under suspension of the rules.

USE OF CITY-OWNED AUTOMOBILES.

Coun. CHASE offered the following:

Ordered, That the Boston Finance Commission be requested to investigate the reports of the wrongful use of city-owned automobiles and to inquire into the necessity of the use of high-priced limousines instead of medium-priced cars.

Coun. CHASE—Mr. President, I understand that, according to reports in circulation, there are quite a number of instances of the wrongful use of city-owned automobiles. As I understand it, sir, it has been reported that a department head even took a vacation to Florida in one of the new Buicks. I also understand, sir, that a certain lady in the Mayor's office specifically has the use of a new Buick, one of the limousine type, supposedly for her to carry out her official duties in the office of the censor, when you and I know the office of the censor never had an automobile at their disposal. Whether or not the fact that she is a relative of his Honor the Mayor entitles her to the use of this car, I don't know, but I do know her official censorship duties do not require the use of such a high-priced car. As a matter of fact, her official duties, if she has any, do not require the use of any automobile. No City Censor in the past has used one. I am sure, Mr. President, you will agree with me if the report is true a department head used a new limousine, city-owned, for his vacation in Florida it is a wrongful use, and I trust, sir, the Finance Commission will check into these reports and also reports of other instances where certain department heads are using these cars for purposes other than city purposes. Sir, it has been called to my attention there are altogether too many high-priced cars being used by our various department heads. Why we should have high-priced Buick limousines and high-priced Packards and Cadillacs to be used by department heads when they get along just as well in Dodges and Plymouths and other medium-priced cars is something I don't quite understand. I do know, sir, if the city inaugurated the system of using medium-priced cars under a fleet ownership, the city would save thousands of dollars annually. The department heads and other employees who

would find it necessary to use cars could save the city thousands of dollars. I hope, sir, the Finance Commission will check into this matter because the upkeep and cost of maintenance of city-operated passenger automobiles runs into many thousands of dollars annually.

Coun. MUCHNICK—Mr. President, yes, talking very much in agreement with the order, I was wondering in connection with that order if we might not in some way be able to have the Budget Commissioner come up this next week to let us know just how many cars the city has purchased, how many are in use, particularly unnecessarily for department heads who do not need them, and how that compares with the figures of previous years, both in numbers of cars and dollars and cents. I think, Mr. President, if we were to do that, we would probably find that there has been more than the \$68,000 that would be necessary for recreation supervisors spent unnecessarily on these cars. If we could refer into this and some other items,—and again I refer to the useless voting machine custodians,—we probably could arrange to get enough money together to take care of the recreational supervision that is going to be needed this summer. I don't know if an amendment is in order, or whether an amendment would be acceptable to Councilor Chase to the effect that the Budget Commissioner be invited down to give us the necessary figures, but for either or both of these situations, I would like very much to make that amendment and have it come up next week.

President KELLY—The Chair will rule the proper procedure to take, councilor, would be to refer this order to some committee and invite the Budget Commissioner there.

Coun. MUCHNICK—And the purchasing agent.

President KELLY—And the purchasing agent. Does the gentleman make that motion?

Coun. MUCHNICK—I would like to make that in the form of a motion, to send it to the Executive Committee so that we could all ask him necessary questions, and I am primarily interested in getting the sum of \$68,000 for recreation supervision. The question of relatives has been brought up. Possibly there are some relatives who could act in the capacity of recreation supervisors if the money could be transferred in that way.

Coun. CHASE—Mr. President.

President KELLY—Wait a minute. Coun. Kinsella asked for the floor, but he has not spoken.

Coun. KINSELLA—I will yield to the councilor.

President KELLY—Councilor Kinsella yields, Councilor Chase.

Coun. CHASE—Mr. President, I realize the councilor from Ward 14 (Councilor Muchnick) has considerable merit in what he has told the Council. I am very much in accord, sir, with cutting down on the expenses of unnecessary things which are being used by the various municipal departments but I, for one, feel that his Honor the Mayor could economize without depriving the citizens of essential things by cutting out those things that are not essential. I think we are all in accord, sir, that medium-priced cars are just as useful in carrying out city business as high-priced limousines, and I think we are also all in accord, sir, that the children in our various playgrounds are entitled to the supervision which his Honor the Mayor apparently feels they are not entitled to. I believe, sir, since your Budget Commissioner and the Purchasing Department are under the control of the Mayor, it would be wiser if this Body adopted my order, as is, and possibly have the councilor from Ward 14 introduce a separate order or resolution calling on his Honor the Mayor and the School Committee to appropriate the \$68,000. I feel, sir, that the Finance Commission, being an independent body, a body over which his Honor the Mayor has no control, would ascertain the facts I am calling for much more readily than the Budget Commissioner and the Purchasing Department over which the Mayor has control.

President KELLY—We are talking now in reference to sending that order to the Executive Session on Councilor Muchnick's motion. Councilor Chase.

Coun. CHASE—I move the order be adopted as originally introduced.

President KELLY—The motion is to refer this matter to the Executive Session. Talking on the motion, Councilor Kinsella.

Coun. KINSELLA—Mr. President, I do not have any desire to make an issue of this today. I think there is some merit to what the councilor

from Ward 4 (Councilor Chase) says, but I think it is rather late in the day, speaking from the point of view of the administration of public business to complain about the number or the value of machines used by city officials. We have been educated to allow them more latitude than perhaps we take ourselves, but if this is not any good in 1947 it was not good in any other year. I do not wish to become personal with the gentleman from Ward 4, but I have to remind him of things he has overlooked in the past. The reason I phrase myself today that way is that this is the type of order that should not pass. We are making fish of one and flesh of another. The *City Record* bears out the notation that one of our former Mayors of not so long ago turned in a very useful Packard limousine for a Cadillac costing around \$4,200, and was allowed \$1,400, I am informed, on the Packard. Nothing was said about that, and yet I, myself, have seen that car, the property of the City of Boston at the disposal of the Chief Executive of the city, parked in a few notorious places at night during the year 1945. I don't understand the reason for an order like this. I would like to see the \$68,000 put back in the budget in one way or another for the children of the city. It is the School Department's duty to furnish facilities, but I don't like the play of the purchase of cheap machines, and when I say cheap, I mean cheap in the sense of money and not in the operation or service, as against more fashionable limousines. In other words, if it ever was the custom for these men that are in the back of the mind of the councilor from Ward 4 to have smaller cars, and this was a digression from that, I could understand it 100 per cent. But to find fault with it now when it was the established custom and habit and practice is going a little too far. Yet I must concede to him there is something in what he says. But if custom backs it up, I would allow it. This order should not pass because it appears to me it is one fished out from some place as another means of criticizing and as a means by which more contumely could be placed on those responsible. The Finance Commission unquestionably approved the purchase of such things as this because we know they sit on every substantial amount of money before it is contracted for. They have the same view we have, but I think they also accept with it long custom and habit and common usage of these men in exalted positions and give a little more consideration in these matters than normal city employees in even fairly influential positions. I urge upon your Council, Mr. President, that this order and orders of this peculiar type be defeated without casting any reflection upon the good intentions of the gentleman from Ward 4 in attempting thereby to reclaim some of the \$68,000 which I claim was unnecessarily and unfairly and unjustifiably deprived. But I can't see why we ought to be playing one thing off against the other, and to inject the children's welfare. That is entirely out of it. The question of the children's welfare is a thing apart from all expenditures for automotive equipment of a purely personal although official nature. I do hope such an order as this does not pass.

Coun. CHASE—Mr. President.

President KELLY—The question comes on referring this matter to the Executive Session. Councilor Chase.

Coun. CHASE—The gentleman from Charlestown (Councilor Kinsella) said this was an established custom or something of that nature. I have been here now for ten years and this is the first time to my knowledge that any department head has ever taken a large city limousine on his vacation to Florida. Bear that in mind, that is a report I and others have heard. Sir, I think a report like that should be thoroughly checked.

Coun. KINSELLA—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. KINSELLA—To ask if he will yield.

President KELLY—Councilor Chase, do you yield?

Coun. CHASE—No, I am not yielding, Mr. President.

President KELLY—Councilor Chase does not yield. Councilor Chase.

Coun. CHASE—I think you will agree the office of assistant city censor is an office created by the present Mayor of the city and that heretofore we did not have the office of assistant city censor and that those duties in the past were carried on solely by the office of the City Censor, and

that all other City Censors in prior administrations did not have the use of a high-priced city limousine. That, sir, is the report which I have heard and it comes from a reliable source. I believe, sir, that should be investigated, and I believe, sir, that it should be stopped. I cannot conceive of an assistant city censor having the use of a high-priced limousine at the city expense, something with which she can ride around to the theatres and enjoy something which she can use for her own personal interest only. The mere fact that the assistant city censor is a relative of the Mayor's wife is of no concern to me. That, sir, should not warrant her the private use of an automobile at the cost of the taxpayers' money. It should be stopped. I think, sir, you will all agree with me that those two are instances of wrongful use of city automobiles and they should be probed into and should be stopped, knowing the Mayor has warranted such wrongful use. Is there any reason why other department heads that have no use for automobiles should be using these automobiles supposedly on official business? It is my understanding, sir, that there are a number of other large limousines placed at the disposition of the department heads who heretofore had no use of an official city automobile. There is another apparent wrongful use or uses of city automobiles. Now, sir, I believe that if the city were to stop ordering and placing at the disposition of city department heads these high-priced limousines and have them use medium-priced cars instead, the taxpayers in the long run could save thousands of dollars. No one here can say the gist of my order is not based on common sense. No one here, sir, who is thinking of the taxpayers' interests would dare go against this order. I hope, sir, that my order, in its entirety, will be adopted.

Coun. MUCHNICK—Mr. President.

Coun. KINSELLA—Mr. President.

President KELLY—Councillor Muchnick.

Coun. MUCHNICK—Mr. President, the only objection that has been raised in the order as originally put in by Councillor Chase was the one raised by Councillor Kinsella to the effect that it was customary to have these automobiles. Assuming that argument has any validity, it has always been the custom just as much to have recreational supervision in this city for children. If it comes down to a point of choosing between the necessity of either of those customs, I think everybody will agree it is far more important to take care of the children than it is to provide expensive or unnecessary automobiles for department heads. Since listening further to Councillor Chase, I have come to the conclusion that there is no point in sending this to the Executive Committee, and if there is no objection I would like to withdraw my motion.

Coun. KINSELLA—Mr. President.

President KELLY—Councillor Muchnick withdraws the motion to refer it to Executive Session. Hearing no objection, it is withdrawn. Councillor Kinsella.

Coun. KINSELLA—Mr. President, I agree with Councillor Muchnick that if there is any choice to be made, by all means \$68,000 for the children, but I don't think this or any other item ought to be put on a trade basis although I would like to see the kids get it. I agree with him wholeheartedly. As for the supplementary remarks of Councillor Chase, I did not in my original statement touch upon that phase of the order which dealt with out-of-state trips because I do not have any information on the subject. I will say this, if that is something he can prove, and he is an attorney and knows the value of proof, then he is probably doing the city a service. I did not mean to slur over that, but the reason I did not touch on it, to repeat myself, was that I have no knowledge of that. However, I do have knowledge of habit and customs to which we are accustomed in the city, and on that basis—except for finding some reason or excuse for discontinuing the practice—it need never be said that the city is so impecunious it has to trade valid items which were stricken out of the budget against items which are perhaps not so worth while but allowed to remain in the budget. Or, in simple language, let us get the \$68,000 for the children regardless of what happens to the purchase or expense of automotive equipment. Let us not play one against the other. For the *City Record* and for the minutes of this hearing, I want it clearly understood that I did not touch on the phase of out-of-state trips in city limousines or other city conveyances because I do not have any certain

knowledge of such trips and even the instigator of the order said that reports have come to him. He did not say he checked them, and I think as an attorney he will see a good deal of legitimacy to the milder criticism contained in that statement.

Coun. BRYAN—Mr. President, I doubt the presence of a quorum.

President KELLY—Councillor Bryan doubts the presence of a quorum, and the Clerk will call the roll.

The Clerk called the roll, with the following result:

Present—Councillors Bayley, Bryan, Chase, Cook, Hannon, Kcenan, Kelly, Kinsella, Linehan, Muchnick, Russo, Sullivan—12.

President KELLY—A quorum is in attendance, and the councilor will continue. The question is on the passage of the order.

The order was passed under suspension of the rules.

FURTHER EXECUTIVE COMMITTEE REPORTS.

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

Report on order (referred April 28) concerning the granting of permits for the transportation of garbage and rubbish through the streets of Boston—recommending passage of accompanying new draft:

Ordered, That the Commissioner of Public Works be ordered, through his Honor the Mayor, to grant an unlimited number of permits for the removal and transportation of garbage and other refuse through the streets of Boston under section 3 of chapter 6 of the Revised Ordinances of 1925, which was further amended and approved on December 27, 1946, by section 1 of chapter 11 of the Revised Ordinances of 1946.

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

Coun. SULLIVAN—Mr. President, a word on this order here. You heard in the Executive Committee the opinion sent down by the Law Department that the department head has a right to set a limit to the number of permits that are to be issued by him. That is contrary to his letter which was sent to us last December, and the request to increase the fee in this particular ordinance from \$5 to \$25 a year per truck. Today I had another veteran appeal to me for a permit. He appealed to the Public Works Department for a permit as he is doing business, and he was stopped by the supervisor or the inspector who asked for his permit. He had none, and he did not know he had to have one. He went into the Public Works Department and could not even get an application to file, so that when the limit is changed he would be in line to get a permit. The gentleman appealed to me, and I told him at present there was nothing I could do for him. That is contrary to what we had in mind when we passed this ordinance last December. This ordinance was obtained through this Body by deception in telling us this was to be open to veterans who were purchasing trucks, and desired to go into this type of business. This Body passed this ordinance in all good faith to bring additional revenue into the city. Gentlemen, if we had not passed that ordinance, the city would have been \$1,350 ahead, but, through our passing this ordinance, it is costing the city \$1,350 a year. We were not told that last December. I voted on this particular ordinance with the thought that the city could derive \$5,000 or \$10,000 a year on it, and now we find out that the city is losing \$1,350. I will tell you how I arrive at that figure. Last year this work was let into the hands of the four men of the respective districts through the city. They had their own work to do along with supervising these trucks. This year, after this ordinance was passed, they appointed a supervisor or inspector, and an inspector's salary is \$2,600 a year. All we can take in under the limit of 50 at \$25 apiece in a year is \$1,250, and subtracting the \$1,250 from the \$2,600 that the inspector is paid is a net loss of \$1,350 that the city faces each and every year from now on, unless the Mayor directs the Public Works Commissioner to rescind that limit and open it up so that the city will get the money and so that these men that are doing the work will be doing it within the law and that they can do it under supervisory control, and if that is not done

and that order is not rescinded, I am going to ask for a repeal of that ordinance.

The order was passed.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of John J. Lanigan (referred April 7) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor truck belonging to Fire Department—recommending passage of accompanying order:

Ordered, That the sum of one hundred thirty-four dollars and ninety-five cents (\$134.95) be allowed and paid to John J. Lanigan in reimbursement for amount of execution issued against him on account of his acts as operator of a motor truck belonging to the Fire Department, said sum to be charged to the Contingent Fund.

Report on petition of Michael V. Dailey (referred September 23, 1946) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Park Department—recommending passage of accompanying order:

Ordered, That the sum of one hundred twenty dollars (\$120) be allowed and paid to Michael V. Dailey in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Park Department, said sum to be charged to the Contingent Fund.

Report on petition of Bernard Hughes (referred April 14) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Park Department—recommending passage of accompanying order:

Ordered, That the sum of thirty-five dollars (\$35) be allowed and paid to Bernard Hughes in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Park Department, said sum to be charged to the Contingent Fund.

Reports accepted; said orders passed.

VETERANS' HOUSING PROGRAM.

Coun. LINEHAN offered the following:

Whereas, Many World War II veterans, who are tenants with excessive incomes of the Boston Housing Authority Projects, have received eviction notices, and because there is no available housing at the present time, therefore, be it

Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to make provisions and a survey of said World War II veteran tenants whose income is excessive so that they may be transferred to the one- and two-family homes being constructed and to be completed this fall under the City of Boston World War II Veterans' Housing Program in order that more apartments in the permanent housing projects may be made available for those veterans whose income qualifies them for low rent housing.

Passed under suspension of the rules.

SCHOOLBOY PARADE.

Coun. BAYLEY offered the following:

Ordered, That the City Messenger be authorized to rope off the streets for the annual schoolboy parade on June 1, and that the expense of the same be charged to the City Council appropriation for Ropes, Flags and Stakes.

Passed under suspension of the rules.

PAYMENT OF CERTAIN UMPIRES.

Coun. BAYLEY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to pay the umpires of all softball games conducted in and under the Park Department.

Coun. BAYLEY—Mr. President, a few weeks ago this Honorable Body passed a similar order in regard to baseball games, and I noticed in the reply of the Park Commissioner he said the baseball Park Department league umpires were

paid by the major leagues. I don't know how that is, although I understand the Park Department pays the umpires and the major leagues do not pay them, but in the case of softball there is no question that the softball teams do pay for the umpire and equipment and ball and bat. This is a fairly big expense for the teams which are trying to get going, and I think it is reasonable that the Park Department which sponsors these softball leagues as well as the baseball leagues should pay the umpire so that a team would not get dropped out in the face of heavy expenses incurred by them, by those who need a little recreation playing softball after working hours.

Coun. LINEHAN—I would like to amend the order to include the baseball games.

Coun. BAYLEY—I accept the amendment.

Coun. LINEHAN—The baseball park league teams pay for the umpires out of their own funds; they are not paid by the major leagues.

President KELLY—Councilor Linehan makes a motion that the order be amended to include umpires for baseball games. The question comes on the order as amended, and Councilor Bayley asks for suspension of the rules.

The order as amended was passed under suspension of the rules.

SKELETON FORCE ON MAY 31.

Coun. HANNON and BRYAN offered the following:

Ordered, That his Honor the Mayor direct the department heads to shut down or establish a skeleton force on May 31 and provide that those who work on May 31 be given a day off the following Monday.

Coun. HANNON—Mr. President, I have been given to understand that Saturdays off, as far as city employees are concerned, will go into effect on June 7. The Saturday preceding that is May 31, the day immediately following Memorial Day, and many of the business houses in the city will be closed on that Saturday and the banks, of course, will be closed. I think City Hall might well be closed, but if there are certain departments that must remain open, I believe a skeleton force could be established for the convenience of the public, and those who work on Saturday, May 31, should be given the following Monday off to compensate them for so working.

The order was passed under suspension of the rules.

PROPER EXITS, FENWAY PARK.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to direct the Building Commissioner to direct the owners of the Boston American League Baseball Company to provide proper exits for the patrons in the rear of the grandstand.

Coun. HANNON—Mr. President, at the end of last year as well as the beginning of the baseball season this year, Fenway Park has many times been well populated. As a matter of fact, you go over there on Saturday and Sunday and you are fortunate if you receive a seat on the right field, what we used to call the pavilion, from which you can really see the game. I know they spent a large amount of money in the improvement of the park but to me it seems some of the officials in the city are overlooking one of the most hazardous situations existing in any public place for public gathering in the city. Anybody in the stand which was formerly the right field pavilion cannot get out of the park for 10 or 15 minutes. The only means of egress are small exits down in front of the grandstand. You have to walk away down practically to the ball field in order to get at the ramps which lead under the grandstand. Either that, or walk the entire way behind the grandstand. It seems to me that some means of exit should be made so that the people in the rear of the grandstand can get out from the rear of the grandstand directly behind the pavilion. I don't think it will take much money to put stairways or exits from the top of that grandstand down to the street. They spent money constructing that street, but if you are in there, you must wait

10 or 15 minutes, I dare say, before you can possibly find your way out. If an explosion ever occurred in that grandstand, you simply could not get out. I was over there a week ago Sunday, and there were thousands and thousands of people milling about trying to get down the small narrow stairways to the means of exits provided near the bottom of the grandstand, but at the first base pavilion, there is no exit, you have to walk way over practically behind the catcher's box to go down that ramp, or you have to walk the other way, away out to the right field, almost into center field in order to go down that exit. I think in the interest of safety and in the interest of public convenience, some official in the city should check up with the officials of the Boston American League Baseball Company to make them provide proper exits for these people who pay \$1.40 for a seat up in the extreme end of the right field pavilion, and then, besides not seeing the ball

game all through the afternoon, they have to wait 10 or 15 minutes in order to find their way to an exit in order to get out after the game is over.

The order was passed under suspension of the rules.

RESEEDING OF DROHAN SQUARE,
DORCHESTER.

Coun. HANNON offered the following:

Ordered, That the Park Commissioner be directed by his Honor the Mayor to reseed the grounds known as Drohan square, Dorchester, in Edison green.

Passed under suspension of the rules.

Adjourned, on motion of Councilor Cook, at 4.42 p. m. to meet on Monday, May 26, 1947, at 2 p. m.



CITY OF BOSTON.

Proceedings of City Council.

Boston, May 26, 1947.

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

The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments: Joseph Solomon Richards, 520 Blue Hill avenue, Roxbury, constable, for term ending April 30, 1948, authorized to serve civil process upon filing of bond. Della Joyce, 1 Harvard street, Cambridge, weigher of coal, for term ending April 30, 1948.

Donald Sherlaw, 565 Manley street, South Easton, weigher of goods, for the term ending April 30, 1948.

Severally referred to the Committee on Constables and Confirmations.

"SLOW—SCHOOL" SIGNS ON MAIN STREET, CHARLESTOWN.

The following was received:

City of Boston,
Office of the Mayor, May 26, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of May 19, 1947, concerning the erection of "Slow—School" signs on Main street, Charlestown, Ward 2, in the vicinity of the Bunker Hill School, for the purpose of reducing the traffic hazard to children attending that school.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Traffic Commission, May 22, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—This is in reply to Council order dated May 19, 1947, which reads as follows:

"Ordered, That his Honor the Mayor be requested to erect 'Slow—School' signs on Main street, Charlestown, Ward 2, in the vicinity of the Bunker Hill School, for the purpose of reducing the traffic hazard to children attending this school."

Orders have been issued to erect signs in Main street, approaching Baldwin street, and we hope to have these in place within a very short time.

Very truly yours,

LEO F. CURLEY, Commissioner.

Placed on file.

FENCE AT JOHN W. MURPHY PLAYGROUND, JAMAICA PLAIN.

The following was received:

City of Boston,
Office of the Mayor, May 26, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Park Commissioner relative to your order of May 12, 1947, concerning the height of the fence surrounding the John W. Murphy Playground, Jamaica Plain.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, May 23, 1947.

J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of May 16 with enclosure, order from the City Council regarding the height of the fence surrounding the John W. Murphy Playground.

I am having the P. J. Dinn Company give me an estimate on what it will cost to raise the height of

the fence directly back of home plate. If it is possible to do so, I will be pleased to.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

RESEEDING OF DROHAN SQUARE AND EDISON GREEN.

The following was received:

City of Boston,
Office of the Mayor, May 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Commissioner relative to your order of May 19, 1947, concerning the reseeding of the grounds known as Drohan square and Edison green, Dorchester.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, May 23, 1947.

J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of May 21, regarding the reseeding of the grounds known as Drohan square and Edison green, Dorchester.

Please be assured, if it is possible to comply with this request it certainly will be a pleasure. Heretofore, I have seeded it—I don't know how many times and it has been destroyed before the day was out. I will examine it Sunday and see if the seed we put in there this year has been destroyed.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

ENFORCEMENT OF CAB REGULATIONS.

The following was received:

City of Boston,
Office of the Mayor, May 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Police Commissioner relative to your order of May 12, 1947, concerning the enforcement of cab regulations preventing out-of-town taxis from cruising in the City of Boston.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Police Department, May 23, 1947.

J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—In reply to your letter of May 16 accompanying order of the City Council, dated May 12, 1947, requesting the Police Commissioner to take such steps as are necessary to enforce the cab regulations preventing out-of-town taxis from cruising in the City of Boston, please be advised that during the past year, 195 prosecutions have been made of out-of-town drivers for operating in the City of Boston without a license and 15 additional cases are in process of being prosecuted at the present time.

The Police Department will continue to enforce the taxicab regulations in the City of Boston.

Very truly yours,
THOMAS F. SULLIVAN,
Police Commissioner.

Placed on file.

FLAGPOLE, MURRAY PARK PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, May 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Commissioner relative to your order of May 12, 1947, concerning the erection of a flagpole on the Murray Park Playground in North Brighton, Ward 22.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, May 23, 1947.

J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of May 16, with inclosure, order from the City Council to erect a flagpole on the Murray Park Playground, North Brighton.

Please be informed, bids are being received in this office now, regarding the erecting of a 65-foot pole,—the low bidder will receive this job.

Very truly yours,

WILLIAM P. LONG, Chairman.

Placed on file.

INCREASED APPROPRIATION FOR POLICE DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, May 26, 1947.
To the City Council.

Gentlemen,—I have been advised by the Budget Commissioner that it will be necessary to increase the appropriation of the Police Department by the sum of \$460,000 for permanent employees. This is in compliance with the provisions of chapter 342 of the Acts of 1947 providing for an increase in compensation for members of the Police Department of the City of Boston.

The minimum annual compensation for each patrolman in the Police Department of the City of Boston is hereby established as follows:

For the first year of service, \$2,500; for the second year of service, \$2,700; and for the third and each succeeding year of service, \$3,000. The compensation for each member of said department above the rank of patrolman is hereby increased by an amount equal to 10 per cent of the annual compensation received by him on the date immediately prior to the effective date of this Act.

I respectfully recommend adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the respective sum of money specified in the schedule hereinafter set out be, and hereby is, appropriated for the purpose hereinafter specified, said sum to be raised by taxation on the polls and estates in the City of Boston, and that all orders heretofore or hereafter passed by the City Council relating to appropriations, taxes and the interest thereon, apply to the appropriations and taxes herein provided for.

Police Department.

A-1, Permanent Employees.....\$460,000

Referred to Executive Committee.

TRANSFER OF FIRE STATION, ELM STREET, CHARLESTOWN.

The following was received:

City of Boston,
Office of the Mayor, May 26, 1947.
To the City Council.

Gentlemen,—I am informed by the Fire Commissioner that the fire station at Elm street, Charlestown, has not been used for fire purposes since 1938, and is now an unnecessary and needless expense to his department.

In view of this situation, I submit herewith an order for the transfer of this building to the Public Buildings Department in order that the building might later be leased to a post of war veterans.

I recommend passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That land and building at 11 Elm street, Charlestown, placed in the care, custody and control of the Fire Department by order of the City Council dated March 30, 1942, and approved by the Mayor on March 31, 1942, be hereby placed in the care, custody and control of the Public Buildings Department.

Coun. KINSELLA—Mr. President, I move that go to Executive.

President KELLY—Hearing no objection, the order is referred to the Executive Committee.

IMPROVEMENT OF STATUES, MONU- MENTS AND TABLETS.

The following was received:

City of Boston,
Office of the Mayor, May 26, 1947.
To the City Council.

Gentlemen,—At the present time, a balance of approximately eighty-six hundred dollars is available in the income of the Phillips Street Fund. This income, under the terms of the original bequest, is to be "annually expended to adorn and embellish the streets and public places in said city." For several years, no use has been made of this income. I have conferred with the chairman of the Art Commission concerning the condition of various statues and tablets throughout the city. A number of these works of art need structural improvements. Since these statues and tablets are annually observed and inspected by the thousands of visitors who come to the city, both the chairman of the Art Commission and myself are in agreement that a portion of the available balance of the income of the Phillips Street Fund should be utilized at this time to embellish these monuments and tablets which portray and depict famous citizens and events connected with the historic background of this community. I accordingly submit herewith an order providing for the appropriation from available income of seven thousand dollars, the same to be expended under the direction of the Art Commission. I respectfully recommend adoption of this order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of seven thousand dollars be, and the same hereby is, appropriated, to be expended under the direction of the Art Commission, for the purpose of embellishing and improving statues, monuments and tablets in the streets and public places of the city, said amount to be charged to the Phillips Street Fund, Income.

Referred to Executive Committee.

INCREASED APPROPRIATION FOR PRINTING DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, May 26, 1947.
To the City Council.

Gentlemen,—I have been advised by the Budget Commissioner that it will be necessary to increase the appropriation of the Printing Department by the sum of \$37,051.28, for Permanent Employees, to comply with the scale of wages retroactive to March 1, 1947, negotiated with the Closed Shop Employing Printers of the Graphic Arts Institute of Massachusetts and the Allied Printing Trades Unions for employees who are members of the affiliated crafts in the printing industry employed by the City of Boston Printing Department.

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

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the respective sum of money in the schedule hereinafter set out be, and hereby is, appropriated for the purpose hereinafter specified, said sum to be raised by taxation on the polls and estates in the City of Boston, and that all orders heretofore or hereafter passed by the City Council relating to appropriations, taxes, and the interest thereon, apply to the appropriations and taxes herein provided for.

Printing Department.

A-1. Permanent Employees.....\$37,051.28

Referred to Executive Committee.

AMENDMENT OF COMPENSATION AND CLASSIFICATION PLANS.

The following was received:

City of Boston,
Office of the Mayor, May 26, 1947.
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,
JAMES M. CURLEY, Mayor.

City of Boston,

Budget Department, May 26, 1947.

To the Mayor and City Council.

Honorable dear Sirs,—In accordance with the provisions of Rule 3 of the "Rules for the Administration of Classification and Compensation Plans for the Employees of Suffolk County," the Clerk of the Superior Court for Civil Business has forwarded the attached request for the establishment of the classification "Executive Secretary" in his office.

After an investigation of the actual and proposed duties and responsibilities of this position, I hereby recommend that the following new classification be established.

Title of Class: Executive Secretary.

Duties: Under general direction, to act as confidential secretary to the Clerk of the Superior Court for Civil Business; to serve as intermediary between the Clerk and the public; to arrange appointments and conferences; to supervise the personnel of the office; and to perform other related work.

Range of Compensation: Annual, \$3,600—\$3,900—\$4,200—\$4,500.

Very truly yours,
FRANK L. SOUZA,
Acting Budget Commissioner.

Superior Court for Civil Business,
County of Suffolk, May 7, 1947.

Mr. John A. Sullivan,

Budget Commissioner of the City of Boston.

Dear Sir,—I, Thomas Dorgan, Clerk of the Superior Court for Civil Business in the County of Suffolk, recommend that the Compensation and Classification Plans, under chapter 400 of the Acts of 1930, as amended, be further amended so as to establish the position of Executive Secretary to the Clerk of the Superior Court for Civil Business in the County of Suffolk, whose duties shall be as follows: to act as confidential secretary to the Clerk; to arrange appointments and conferences; to supervise the personnel and all office activities; and to perform other related work.

The establishment of such a position is necessary to provide adequate active supervision of all office activities.

I recommend that the range of salary be \$3,600—\$3,900—\$4,200—\$4,500.

Very truly yours,
THOMAS DORGAN, Clerk.

Ordered, That the Compensation and Classification Plans for the Officers and Employees of Suffolk County, as amended, be, and hereby are, further amended by inserting the following new classification:

Title of Class: Executive Secretary.

Duties: Under general direction, to act as confidential secretary to the Clerk of the Superior Court for Civil Business; to serve as intermediary between the Clerk and the public; to arrange appointments and conferences; to supervise the personnel of the office; and to perform other related work.

Range of Compensation: Annual, \$3,600—\$3,900—\$4,200—\$4,500.

Referred to Committee on County Accounts.

PETITIONS RECEIVED.

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

Claims.

Grace H. Burke, for compensation for injuries caused by an alleged defect at 799 Boylston street.

Kerney A. Delaney, for compensation for damage to car caused by an alleged defect in Commonwealth avenue.

Philip J. DiBlasi, for compensation for damage to car by fire apparatus.

Laura Graves, for compensation for injuries caused by an alleged defect in Tremont street.

Charles G. Marston, for refund on dog license.

Francis X. McCormick, to be reimbursed as result of accident which occurred while in performance of duty.

Julia T. Moloney, for compensation for injuries caused by an alleged defect in Washington street, Brighton.

Joseph C. Morgan, to be reimbursed for execution issued against him.

Pasquale Napolitano, to be reimbursed as result of accident which occurred while in performance of duty.

Louis Pappas, Jr., for compensation for damage to car caused by an alleged defect in Foundry street.

William T. J. Ross, to be reimbursed for execution issued against him.

Angelo J. Spina, to be reimbursed as result of accident which occurred while in performance of duty.

Executive.

Petition of Mrs. Thomas F. McCabe to be paid annuity on account of death of husband, Thomas F. McCabe, late member of Police Department.

PERMITS FOR CHILDREN.

Petitions for children under 15 years of age to appear at places of public amusement were received as follows:

Armando Arena, Jordan Hall, June 5; Boston Music School, Huntington Hall, June 6; John B. Monticone, New England Mutual Hall, June 5 and 9.

Permits granted under usual conditions.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of the following, having been duly approved by the City Treasurer, were received and approved by the Council:

Abraham M. Hecht, William H. Lynch, Michael W. Ober, Paolo Stancato.

NOTICE OF HEARING.

Notice was received from the Department of Public Utilities of hearing to be held June 10 at 10.30 a. m. on charges of Brush Hill Transportation Company.

Placed on file.

COMMUNICATION FROM MAYOR OF SOMERVILLE.

A communication was received from G. Edward Bradley, Mayor of Somerville, inclosing resolution favoring through way more central to the City of Somerville passed by Board of Aldermen.

Placed on file.

FINANCE COMMISSION REPORT ON USE OF CITY-OWNED AUTOMOBILES.

The following was received:

City of Boston,
Finance Commission, May 21, 1947.

To the Honorable the Mayor and City Council. Gentlemen,—The Finance Commission has received notice from the City Clerk that the City Council has adopted the following order:

"Ordered, That the Boston Finance Commission be requested to investigate the reports of the wrongful use of city-owned automobiles and to inquire into the necessity of the use of high-priced limousines instead of medium-priced cars."

The Commission wishes also to acknowledge the Mayor's telephoned request to the Commission to undertake at once the investigation.

The Commission desires to reply both to you and to the City Council that under the circumstances existing in respect to the city automobiles it is impossible at the present time to obtain the complete facts on either of the points mentioned in the above order. Who has city automobiles, passenger cars, and other motor equipment as well, is obscured by a lack of orderly recording and assignment; and, obviously, unless it is possible to know to whom cars are assigned and by whom used, it is impossible to pass on the question of their proper use.

The Commission is not unaware of the rumors and gossip with reference to the misuse of city-owned automobiles.

In addition, the Commission has noted through the years a steady increase in the number of city employes who are provided with cars. The custom seems to be developing that the grant of an automobile and a chauffeur is part of the compensation to be provided for department heads whether or not they need a car continuously in performing their public duties.

As a result of these observations the Finance Commission for some time past has been considering a survey of the city automobile situation in the hope that a better control of the use of city cars might be developed. However, the Commission has found this task extremely difficult. There is now no central control of this situation at all. There is no official list of city cars and the assignment of them. It is only by canvassing the departments that any such information can be compiled. Furthermore, it has been the Commission's experience that reliable information is difficult to obtain in some departments which operate numerous motor vehicles. There is no such thing anywhere as a complete reliable record of the city's automotive equipment.

Until fairly recently, authorization procedure required that a purchase of a new car would be made only when the appropriation for it was voted in an item of the regular maintenance budget known as "C-4, Motor Vehicle Equipment." Nevertheless, it sometimes happened that a department head would obtain authorization for a purchase of a new car when, late in the year, he was able to show that he could provide funds by transfer from other items of his budget. In those instances, savings in appropriation were usually diverted to provide the cost of the car.

Until a year ago, a list of the departments owning cars, and the intentions of the department heads with respect to purchase, could be obtained more or less readily and accurately by looking for, and at, the "C-4" items of the maintenance budget. Now, however, there are no "C-4" items in the maintenance budget, except in the few departments which pay their way by their own revenues. Providing for a new car is now deemed to be a capital expense, and payment for such a purchase is no longer a charge against the maintenance appropriation. The appropriation known as the "Equipment Loan," to which such purchases are now charged, is not in official detail when voted. The budget, therefore, no longer serves as a ready means of finding out who has a car or cars, or who intends to buy a new one.

Now are city cars registered by a uniform method. An employee in the garage of the Public Works Department registers the cars of that department. He pays cash at the Registry and bills the city for his outlay. This cash is provided by the city on a special draft. As to cars owned by other departments, until recently the practice has been that cars would be registered through the Supply Department. Now, however, that system has been abolished. Registration is by a departmental employee, usually a chauffeur. The registration fees are paid in cash. Registration is in the name of the city, but no city agency maintains a central account wherein all payments for registrations are grouped.

Therefore, it is obvious that in order to make any kind of investigation of the automobile situation it is necessary, first, to set up a control account in which all registrations will be recorded. It is within the power of the Mayor to order that this be done, and the Finance Commission believes he should do it forthwith.

To obtain all the facts of the actual use of the cars owned by the city is obviously impossible. First of all, although the city ordinances require that the city-owned cars be "painted a uniform distinctive color, bearing on each side the words 'City of Boston' and also a designation in words showing by which department such automobiles are used," no such practice is uniformly maintained. Most city cars are in standard black, because the city usually buys cars of that color; but most of them have no "City of Boston" label or other designation. They are, for the most part, not different in appearance from the privately-owned cars commonly seen on the highways. The fact that there are many cars parked around City Hall and Annex from day to day which have a city marking but are privately owned makes identification of city-owned automobiles difficult. Moreover, many city employes use their privately-owned cars more or less in performance of their regular city tasks.

The city adopted the above quoted ordinance many years ago because charges of unauthorized use of city cars were then very frequent. Similar charges again are numerous. It is due to the fact that the ordinance is now "honored more in the breach than the observance" that unwarranted use of city cars is possible. The Commission recommends that the Mayor take steps to compel compliance with the ordinance.

The number of city passenger carrying cars is now in the hundreds. Obviously, therefore, it is impossible for the Finance Commission to report on past "wrongful use of them." The Commission believes its time can be used to better advantage in developing a means of preventing such use. To do so, or to give opinion on whether or not an employee needs this type or that, the list and control of city-owned cars must be established. That is the responsibility of the executive head, the Mayor of the city, and the Finance Commission recommends that he take that step.

Respectfully submitted,
EDWARD F. MULLEN, Chairman,
ALEXANDER WHEELER,
LEO J. DUNN,
FREDERICK DEANE,
FREDERICK W. ROCHE,
The Finance Commission.

ROBERT E. CUNIFF,
Secretary.

Placed on file.

GASOLINE TAX ON AEROPLANE COMPANIES.

Coun. COFFEY offered the following:

Whereas, The Governor of the Commonwealth is desirous of paying off the State debt through sales and other types of taxes, be it

Ordered, That the Governor of the Commonwealth of Massachusetts consider the advisability of placing a gasoline tax on all aeroplane companies doing business in this State.

Coun. COFFEY—Mr. President, last year some member of the Legislature through a bill filed tried to tax all the airlines at the Logan Airport. It received quite a lot of unfair publicity and it was attacked viciously by those interested in the airlines at the airport and also by others representing the Chamber of Commerce and so forth. For the past week they have been holding meetings at the Gardner Auditorium regarding the sales tax and other forms of taxation so that they could meet the supposed deficit that is going to be in the State this year. It is going to be amazing to some people to know that every time any one of the general public goes in to buy gasoline they have to pay a 3-cent tax on every gallon they purchase, but at the Logan Airport and every other airport within the Commonwealth all the airlines which use millions and millions of gallons of gas bought in the State of Massachusetts are tax free. If the Governor and the Legislature need to find some way of getting more revenue for the Commonwealth, they can tax these airlines. My closing remark is to say they won't. The airlines are owned and operated by banks and the Chamber of Commerce, and the Better Business Bureau, and those representing big business, and they control the Legislature.

The order was passed under suspension of the rules.

EMPLOYMENT ON RAPID TRANSIT EXTENSIONS.

Coun. COFFEY offered the following:

Ordered, That the Transit Commissioner be requested, through his Honor the Mayor, to inform all veterans seeking employment on the Rapid Transit Extension that they must first file their names with Civil Service.

Coun. COFFEY—For the benefit of the veterans from Boston, I would like to let them know that every veteran right now from Boston is under the impression that if he wants to go to work on the Rapid Transit in the East Boston area, all he has to do is file an application with the Transit Department. Any veteran that is under that impression has been misinformed. I have been told they not only have to file an application with the Transit Department, but they also have to file an application with the Civil Service Commission at the State House. I hope all veterans are notified of that so that it

will take a load off the shoulders of the members of the Council and other officeholders of the Commonwealth. They think all they have to do is get in touch with the officeholder and a miracle will happen, and they will go to work, but they should be informed they have to file with the Civil Service before they can get to work on the Rapid Transit.

The order was passed under suspension of the rules.

ACCEPTANCE OF EVERETT COURT, WARD 1.

Coun. COFFEY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Everett court, Ward 1, as a public way.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CON- STABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Shirley E. Perry, Paul G. Ehler and L. Nathan Baker (referred May 19) as weighers of goods for term ending April 30, 1948—that appointments be confirmed.

Report on appointment of Angelo Michael Russo and Henry Ward (referred May 19) as constables authorized to serve civil process upon filing of bond, for term ending April 30, 1948—that appointments be confirmed.

Report on appointment of Daniel V. Henderson (referred May 19) to be weigher of coal for term ending April 30, 1948—that appointment be confirmed.

The reports were accepted, and the question came on confirmation. Committee, Councilors Cook and Coffey. Whole number of ballots 13, yeas 12, nays 1, and the appointments were confirmed.

RECESS.

On motion of Councilor Cantwell, the Council voted at 2.22 p. m. to take a recess, subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 5.20 p. m.

"SLOW—CHILDREN PLAYING" SIGN, WARD 3.

Coun. RUSSO offered the following:

Ordered, That the Traffic Commissioner be requested by his honor the Mayor to arrange for the installation of a "Slow—Children Playing" sign at Green and Lynde streets, Ward 3.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of Vincent P. McBride (referred May 19) 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:

Ordered, That the sum of three hundred seventy-five dollars (\$375) be allowed and paid to Vincent P. McBride, 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 on petition of William T. Fothergill (referred May 19) 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:

Ordered, That the sum of six hundred dollars (\$600) be allowed and paid to William T. Fothergill in reimbursement for amount of execution issued against him on account of his acts as oper-

ator of motor apparatus belonging to the Fire Department, said sum to be charged to the Contingent Fund.

Reports accepted; said orders severally passed.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. MORIARTY, for the Committee on Public Lands, submitted the following:

Report on message of Mayor and order (referred March 10) transferring part of Charter street from Real Estate Commissioners to Fire Department—that same ought to pass.

The report was accepted, and the order was passed.

ACQUISITION OF PART OF JACKSON PARK.

Coun. LANE and MADDEN offered the following:

Ordered, That his Honor the Mayor be requested to arrange for the acquisition of that part of the vacant land known as Jackson Park, bounded by Sidlaw and Chiswick roads and Commonwealth avenue, Ward 21—part of which is now the property of the City of Boston—and to further arrange for the improvement of this land for use as a public park and as a memorial to all veterans in that section of Brighton.

Coun. MADDEN—Mr. President and gentlemen, I know the hour is getting late and I won't hold the meeting up very much longer, but I would like to have each of you gentlemen see this photograph of Jackson Park, Brighton. I think this is certainly a disgrace to the city. This is in line with the complaint I had about a month ago, bidding the Mayor and Commissioner Long about doing something to the little park on Oak square. You recall I jokingly suggested adding another \$1.50 to the budget so that we could have some seed for that little park, that little memorial park for the veterans in that section of the city. Here is a photograph taken Saturday in that same park, showing up till now, and this coming Friday will be Memorial Day—it is a little park, I would imagine probably 150 by 100 feet the city is so penny-wise and pound-foolish they can't get around to fixing that park for Memorial Day. I don't know whether that is part of the disciplinary program of the Mayor, but to me it is an out-and-out insult to the lost sons of the fathers and mothers in that vicinity. You are not kidding me, Mr. Mayor. You are not taking your spite out on me. You are taking it out on the veterans, the boys who lost their lives. I will pass this around, gentlemen, so you can all have a look at it. You know, some 20 odd years ago, two boys led the honor roll at Boston Latin. One of them was a young man, Joe O'Donnell, and the other one Joe Shubow. Today, O'Donnell is head of Boston College, and Shubow is head of the new Jewish Synagogue in Brighton. By the grace of God, Rabbi Shubow might have been Dean of Boston College instead of Father O'Donnell. However, I can assure you they are both very, very good and fast friends. It seems to me a little long on the crude side that the city should tolerate a condition such as exists in Jackson Park. I know if that park was across the street from some Catholic church or some Protestant church, certainly the Catholics and the Protestants would yell like hell. I think the Jewish people are entitled to just the plain ordinary courtesy of having that park cleaned in front of this new beautiful synagogue that Rabbi Shubow is building. Incidentally he is spending some \$500,000 to build that beautiful new edifice across the street, and I think the least the city could do is to clear what technical defects there are in the acquisition of the title and to make this not only a park but a memorial to all the veterans in that section of Brighton. It is a touchy subject to talk on, fellows, but it seems the Jews from time immemorial have been persecuted. Why I don't know, but, after living 2½ years in Europe with the United States Army, I can see it is not very difficult to persecute any race or creed or anything else over there. There is one thing that is lacking in Europe that we have in abundance in America, and I hope we never lose it, and that is fair play and sportsmanship. There is not one iota of fair play or sportsmanship from one part of Europe to the other. I have sat in cafés in France and Germany, Italy and Africa,

and I was astonished to see people go in there and eat huge meals, while little kids would walk the streets so obviously dying from hunger you just could not enjoy your meal, but it did not seem to bother the Europeans. Since I came back, I have had people say to me, "Do you mean to tell me the white girls in Europe would prefer a negro man to a white man?" and I said, "Yes, and who the hell wouldn't?" It is my job, or it was my job as a provost marshal, to deal with human beings from one end of Europe to the other, and I can say this to you, and I want you to remember it as long as you live there is no place in the world where men are as chivalrous and as fair as in America. I have had girls in France and Italy and Germany and other places tell me, in answer to the question when they were apprehended in the company of colored American troops—I have had any number of foreign girls say they would rather be in the company of an American colored man than any man from her own country. That is a broad statement, but I have heard it said often over there, and I think every other man who was over there will bear me out. The reason for that is that the colored man or any other American is so far ahead of the average European there is no question about it. Now, with all due respect to the original motives of Hitler and all the rest of the fanatics, you can't start after the Jews, you can't start after the Catholics, and you can't start after the Protestants, but eventually you hurt your own somewhere down the line. Your own people are going to feel the effects of the vituperation, and that is obvious all over Europe. Mr. Hitler thought he was just punishing the Jews. Well, I saw Catholic churches and Protestant churches all over Europe demolished, and I saw Catholic people and Protestant people who suffered just as much probably not as many of them—as the Jews, but what I am suggesting, fellows, is this that everybody is affected by what Hitler originally intended, the persecution of the Jews alone. You can't get away with that stuff without hurting the entire world. If it is going to continue, then, all I can say is "God help them." God help your kids and my kids if we ever have another war. It is a terrible thing to say, but there is no such thing as gratitude in Europe or any place in the world; not only fair play, but they haven't gratitude. They hate our guts, and God help America if any foreign nation ever gets us by the throat. That is why I say it is incumbent upon every Catholic man and every Protestant man and every Jew to walk together shoulder to shoulder all through life as we did in the service. Isn't it a strange commentary that as kids we never asked what a kid's religion was? We grow up the best of friends and then it seems, when we become mature, we get to be fatheads and we don't like Smith or Brown because they don't go to our church. How small, how stupid! As I see it, we have the same situation in Brighton. One of the great heroes of this war, the unsung heroes, a little fellow, a tough guy, Rabbi Joe Shubow. Let me tell you a story about Shubow, and then I will stop. My first acquaintance with the very capable rabbi was at Anzio. I happened to be in one of the big hospital wards there when a boy came in yelling for a chaplain. Well, Shubow went out, and I went with him. I never saw the man before in my life. He bent down over this kid and the kid says to him, "Father, I would like to make my last act of contrition." The rabbi said to him, "Have you got rosary beads?" The kid said, "No, I have not." He said, "Do you want mine?" The boy said, "Yes, Father, thank you." The rabbi handed that boy some rosary beads. That kid died in the rabbi's arms happy. He had the thought he died in the arms of a priest. On the way back I said, "You know, Father, it wouldn't hurt me to go to confession." He turned to me and hit me on the shoulder and said, "I am sorry, Major. I am not a Catholic priest." That was quite astonishing to me after his handing the kid the rosary beads. Then I discovered that all chaplains over there carried rosary beads and things like that so that they could help the boys of every race and creed in their dying hour. Not only was that a terrific shock to me, but I nearly keeled over when I found out he was from Brighton. When he called his condition to my attention, I said, "Rabbi, you can bet your life Councilor Lane and myself, out of plain fairness, even if we did not know you were one of the great heroes of the war, but just as any other ordinary citizen, it would give us a great deal of pleasure to move this order the city acquire this property for a memorial park for the veterans of every race and creed, a beautiful park to be built

and acquired right there across the street from this new beautiful synagogue." Thank you, Coun. CAREY—May I ask that the order be read?

President KELLY—The Clerk will read the order.

(The order was read.)

(The order was passed under suspension of the rules.)

EXECUTIVE REPORTS.

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

1. Report on message of Mayor and order (referred today) transferring fire station at Elm street, Charlestown, to custody of Public Buildings Department—that same ought to pass.

The report was accepted, and the order was passed.

2. Report on message of Mayor and order (referred today) for increased appropriation of \$460,000 for Police Department, Permanent Employees—that same ought to pass.

The report was accepted, and the order was passed, yeas 15, nays 0:

Yeas—Councilors Bayley, Chase, Fish, Hannon, Hurley, Keenan, Kelly, Linehan, Madden, McCormack, Moriarty, Russo, Sullivan—15.

3. Report on message of Mayor and order (referred May 5) for appropriations totaling \$909,500 in various departments—recommending passage of order as submitted by the Mayor with the exception of Fire Department, B-18, reduced \$2,400.

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

Coun. SULLIVAN—Mr. President, I move C-15 appropriation be cut \$5,000.

President KELLY—Councilor Sullivan moves that C-15, Fire Department, be cut \$5,000.

Coun. HURLEY—Mr. President, what is the item?

President KELLY—The Clerk will kindly read the item.

(The item was read by the Clerk: Equipment, Tires, Tubes and Accessories, \$5,000.)

Coun. HURLEY—Mr. President, I hope the Council in voting on this order will vote to let that \$5,000 stay there. We are buying new accessories that will be used on modern equipment. We all know that this equipment is replacing equipment that is 20 or 25 years old. It is the same thing as having a 1915 Ford with 30 by 3 tires and transferring the tires onto a modern 1947 Ford. It just can't be done. When they asked for this extra amount of money for the buying of tubes and tires, of course they had that in mind, that the old equipment was not interchangeable with the 1947 equipment. That was the idea in asking for this extra money, to take care of accessories and equipment for new apparatus. I sincerely hope this item will not be cut.

Coun. COOK—Mr. President, the Fire Department expects to get new equipment under a loan which has not been passed yet, and even if the loan is passed the Fire Commissioner admitted to the Finance Committee that he did not know, even though the loan was passed, if he could get the equipment, and why we should buy tires and accessories in advance of getting the equipment is amazing to me. I think we can wait until the loan order for new equipment is passed, and if they need \$5,000 for tires and other accessories, we can work on it then. As it stands now, if we pass this order, he can buy accessories, as Councilor Chase pointed out, for old equipment and keep it on hand. I don't think the Fire Department should be a storage warehouse. Let us wait until we vote on the loan for new equipment before we pass an extra appropriation for accessories for that new equipment.

Coun. HURLEY—Mr. President, of course the Council knows that after the 14th of next month we cannot appropriate any more money because the tax rate then will be set, and that will be the end of appropriations for this year. I think if this money is granted the Fire Department, they are not going to go out and buy 30 by 3 tires on cars they are going to junk and hold them in the stock room. It is reasonable to expect that they are going to buy modern, up-to-date accessories.

Coun. COOK—The only answer to that, Mr. President, is that, as the Fire Commissioner has admitted, he does not know whether he will get the loan. That being so, if he does not get

new equipment that can last from June until January of next year when the new appropriations come in, I don't think he is a good purchaser. Secondly, I think we ought to pay some attention to the Finance Commission's report on these automobiles. As I recall it, the Fire Commissioner testified he had 20 new cars he was going to get, also some aerial apparatus and some other fire equipment. My guess is that he is more interested in getting new cars. According to the Finance Commission, and we will admit it ourselves, they don't know who is getting new cars and what they are doing on the streets of Boston and who owns them and what they are used for. I think they ought to wait until they get the equipment before they start buying accessories for equipment. I don't like to see the Council, in view of the fact that the tax rate already has jumped to a new high, spend money or allow money to be spent in advance of things we may not even get. General market conditions show that most manufacturers and wholesale dealers are starting to cut prices, not raise them, and maybe by next year we can buy these accessories cheaper. I am a little bit amazed at the sudden desire on the part of department heads to buy automobiles and accessories. I don't know who is interested in it, but there seems to be an avalanche of purchases of new cars and new accessories, things we can do well without. There are a thousand more important things we can spend the money on than appropriating it for new cars, especially passenger cars.

Coun. SULLIVAN—I would like to inform the members \$15,000 has already been appropriated under the C-15 item for Tires, Tubes and Accessories. On equipment alone, the Fire Department is asking for \$900,000. After we purchase those pieces of apparatus, will we still have to buy accessories, tires and tubes for them? They had in the loan order last year close to another \$100,000, and as this equipment is practically brand new, plus this additional \$900,000 this year, I don't see why they will need an additional \$5,000 when they already have \$15,000 in the budget. This order has been in before. It came in a couple of weeks after the budget was passed. If they needed that money then, why wasn't the money put in the original budget? I hope the \$5,000 will be eliminated.

President KELLY—The question comes on Councilor Sullivan's motion to cut C-15, Fire Department, \$5,000. The Clerk will call the roll.

The motion to cut was carried, yeas 9, nays 7:

Yeas—Councilors Bayley, Chase, Coffey, Keenan, Linehan, Madden, Moriarty, Scannell, Sullivan—9.

Nays—Councilors Carey, Fish, Hannon, Hurley, Kelly, McCormack, Russo—7.

Coun. SULLIVAN—Mr. President, D-11, Fire Department budget, Gasoline, Oil and Grease. They are asking for \$10,000. They have at present \$28,000 in the budget that was passed. In the explanation for this \$10,000 they say additional mileage, but mainly for changing over from regular gasoline to ethyl, a higher type or higher grade of gasoline. As you and I know, that is only a difference of 2 or 3 cents per gallon, and this additional \$10,000 which they are seeking is better than one third of their present budget of \$28,000. So I move, Mr. President, that that \$10,000 item be reduced by \$7,500.

President KELLY—Councilor Sullivan moves the \$10,000 item for gasoline, oil and grease be cut \$7,500, and the Clerk will call the roll.

The motion to cut was carried, yeas 10, nays 6:

Yeas—Councilors Bayley, Chase, Cook, Keenan, Linehan, Madden, Moriarty, Russo, Scannell, Sullivan—10.

Nays—Councilors Carey, Fish, Hannon, Hurley, Kelly, McCormack—6.

Coun. SULLIVAN—Mr. President, on Fire Department budget, E-1, Building, they are asking \$5,000 additional to this appropriation. They have at present \$14,000 passed in the budget, and I move that \$5,000 be reduced by \$4,000. Also, on E-13, on which they are seeking an additional \$5,000—they already have \$45,000 in the regular appropriation—I move that \$5,000 be reduced by \$4,000, making a grand total of \$8,000 in E-1 and E-13.

President KELLY—Councilor Sullivan moves Items E-1 and E-13 in the Fire Department budget be reduced by \$4,000 each. Talking on the motion, Councilor Hurley.

Coun. HURLEY—Once again, I hope that will go through, that they will go along with the Execu-

tive Committee report. These items are explained by the Fire Commissioner for ropes, and so forth; the cost of everything being way up in the air. I hope the Council will vote to keep these items as they were recommended by the Executive Committee.

The question came and the motion to cut E-1 and E-13 each by \$4,000 was carried, yeas 9, nays 7:

Yeas—Councilors Bayley, Chase, Cook, Keenan, Linehan, Madden, Moriarty, Scannell, Sullivan—9.

Nays—Councilors Carey, Fish, Hannon, Hurley, Kelly, McCormack, Russo—7.

Coun. SULLIVAN—Mr. President, on C-16, Fire Department, Wearing Apparel, they are seeking \$79,000 additional under this item. They have on hand in the regular budget \$40,000. Mr. President, we are informed that the commissioner wanted to equip those temporary men with uniforms. I don't believe those men should be equipped with uniforms until such time as they are made permanent in the Fire Department. These men that are on now are on a provisional appointment pending an examination and the establishment of a list. There are a large number of boys working in the Fire Department under this provisional appointment with the idea in mind that all they have to do is pass this examination and they are automatically going to become permanent firemen. As you and I know, once the examination is held and the list is established, they start at the top of the list, one, two, three, and go down, and take the first 300 or 400 men who are willing and expect to fill those jobs. Assuming two or three hundred of these provisional men land on that list beyond the 800 mark, what is going to be done with those uniforms? So I move now, Mr. President, that C-16 be reduced by \$50,000. This will leave them a balance, a total balance in the C-16, Wearing Apparel, of \$69,000 to take care of all the permanent men that they have on hand.

President KELLY—Councilor Sullivan moves that C-16 in the Fire Department be reduced \$50,000. Talking on the motion, Councilor Hurley.

Coun. HURLEY—Mr. President, I think there might be some misunderstanding about that. As I understood the talk of the commissioner relative to uniforms, this item was to take care of the new men put on as a result of the 48-hour week, not temporary men but permanent men. Of course, we have some provisional men, but we have a great number of permanent men working under the 48-hour week, and when the list ran out at Civil Service, they appointed provisional men pending an examination. I don't think the commissioner has any idea of buying costly uniforms, tailored and measured to fit men whom he does not know are going to be members of the Fire Department. I think this money would be used, a good part of it, to fit out with tailor-made uniforms men who are permanent members and the balance would be kept waiting the list of permanent employees. In asking for the full amount at this time, Mr. President, of course we know, as I stated before, that we cannot appropriate any more money for any department for the balance of the year after the middle of June, after our tax rate is set. So as a precautionary measure, instead of just putting in for the men who are permanent employees of the Boston Fire Department, they are making provision in the budget for the purchase of uniforms for men who will be approved by Civil Service at a later date. When these men are approved at a later date this year, of course we are obliged to fit and buy uniforms for them and if this budget is not passed as it is today, you will have all the new men that are approved by Civil Service on the Boston Fire Department operating in our department in their own clothing. I sincerely hope, Mr. President, that this item will be left as is, as was voted by the Executive Committee.

President KELLY—The question comes now on cutting the C-16, Fire Department item by the amount of \$50,000. Councilor Scannell.

Coun. SCANNELL—Mr. President, while I don't think they need this \$79,000, I believe a cut of \$50,000 would be too drastic, so I would like to amend that motion if it is in order, that this order be cut \$29,000 and that it read \$50,000, so that in case we do get a list, we will have enough money to buy this clothing. If it is not in order, I am going to vote against the \$50,000 and ask that there be a \$29,000 reduction.

President KELLY—I am sorry, councilor; Your motion is out of order.

Coun. SCANNELL.—May I make an amendment to the original?

President KELLY—The motion for the larger cut takes precedence. The question comes on Councilor Sullivan's motion to cut the item C-16, Wearing Apparel, Fire Department, \$50,000, and the Clerk will call the roll.

The motion to cut C-16 by \$50,000 was lost, yeas 5, nays 9.

Yeas—Councilors Chase, Linchan, Madden, Moriarty, Sullivan—5.

Nays—Councilors Carey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, McCormack, Russo—9.

Present—Councilors Bayley, Scannell—2.

Coun. SULLIVAN—Mr. President.

Coun. SCANNELL—Mr. President.

President KELLY—Councilor Scannell.

Coun. SCANNELL—Mr. President, I ask that there be a reduction in C-16 from \$79,000 to \$50,000, a reduction of \$29,000.

President KELLY—Councilor Scannell moves a reduction be made in the C-16, Fire Department item in the amount of \$29,000. Talking on the motion, Councilor Sullivan.

Coun. SULLIVAN—Mr. President, I wonder if I could ask the chairman of the Executive Committee if he remembers distinctly or whether any other member does, if he cannot remember, just what the commissioner wanted this \$79,000 for.

President KELLY—Councilor Fish, can you answer that question?

Coun. FISH—I can't give a definite answer. Whether it was for new firemen to be made permanent, or whether it was for temporary ones, I don't remember. The meeting, as I say, was held in Executive and undoubtedly there would be others who possibly would have heard the answer to this question who may be able to answer.

President KELLY—Does anybody else have an answer?

Coun. HURLEY—I can answer the question. He explained it was for a full uniform plus rubber boots and rubber Panchos.

Coun. SULLIVAN—For how many men?

President KELLY—Do you know the answer?

Coun. HURLEY—He said for the new men put on as a result of the 48-hour week.

Coun. SULLIVAN—Mr. President, going along with the full dress uniform, giving them the best rubber boots and rubber overcoats, takes \$150 a man, multiplied by 600—so what figure do you get? That figure figures to \$90,000 that is going to be used for the best at \$150. I think that figure could be cut in half. But what I want to get at, gentlemen, under C-16, if we give them this \$79,000 plus \$40,000, which they have already in the budget, that would give them \$119,000—40 and 79—which would bear out the cut of Councilor Scannell of \$29,000.

President KELLY—The question comes on Councilor Scannell's motion to cut Item C-16 in the amount of \$29,000. Speaking on the motion, Councilor Madden.

Coun. MADDEN—Mr. President and gentlemen, I heartily concur with Councilor Sullivan and Councilor Scannell. While I am perfectly willing to go along with any department head for any reasonable expenditure, this is one of them which is just like the ash and garbage business, you break it down, and it just does not make sense. There are less than 600 men under consideration. If, as the councilor says, each uniform costs \$150—my Lord, you could buy brand new uniforms in lots less than \$150, it is my understanding in talking with the men themselves that the actual cost is closer to \$65 and at the very outset \$100. As far as rubber boots are concerned, I have had to buy seven or eight pairs of rubber boots in the past months because my business has been flooded. If I can buy the best rubber boots for \$5, I don't see why the city can't. So you add \$65 to the actual cost of the uniform, another \$5 for boots, and throw in \$10 a coat, you have an actual cost of \$70,000. Maybe I am wrong, so give them another \$25, for the uniform and everything, and still you would not get \$60,000. As Councilor Sullivan says, they already have quite a sum of money. Now, if you give them this much, that would enable each temporary man to have a uniform and a free ticket on the Elevated system.

President KELLY—The question comes on Councilor Scannell's motion to cut Item C-16 in the amount of \$29,000. Councilor Chase.

Coun. CHASE—Mr. President, I realize the members of the Council are concerned over this

particular item, and it is confusing. How is it possible to spend so much money for so few uniforms? I may remind the Council his Honor the Mayor always has made it a point to get the very best at the very highest cost. I might also remind the Council, sir, that it is quite possible that his Honor the Mayor may feel that it is necessary to buy a lot of uniforms for those chauffeurs for automobiles, and it is possibly the high cost of chauffeurs' uniforms that is bringing up this item. I don't know, but I say it is possible. I obviously am going along with the councilor from Roxbury and will vote for the reduction, because I don't think it is necessary that we should spend this tremendous sum of money for uniforms. I think we can very readily make this reduction without depriving anyone of something essential.

President KELLY—The question comes on Councilor Scannell's motion to cut the C-16 item by the amount of \$29,000 and the Clerk will call the roll.

The motion to cut C-16 by \$29,000 was carried, yeas 11, nays 5.

Yeas—Councilors Bayley, Carey, Chase, Cook, Keenan, Linchan, Madden, Moriarty, Russo, Scannell, Sullivan—11.

Nays—Councilors Fish, Hannon, Hurley, Kelly McCormack—5.

President KELLY—The question now comes on the recommendation of the Executive Committee to reduce B-18 item in the Fire Department by \$2,400, and the Clerk will call the roll.

Coun. BAYLEY—Yes.

President KELLY—Wait.

Coun. MADDEN—What does that mean? What is it for?

President KELLY—Cleaning service for the Fire Department, \$2,400.

Coun. BAYLEY—Yes.

President KELLY—Councilor Madden. Wait a minute.

Coun. MADDEN—I think this should be slashed, gentlemen. Every time I see these additional appropriations it burns me to the core. Once again, I don't like to bore you, but do you remember a couple of years ago the Kingfish when he was going from one end of the city to the other with "Vote for Curley. Curley gets things done." There is a little park out in Oak square and all we need is about \$1.50 of seed. Friday is Memorial Day. There are probably 2,500 names of veterans there, and we cannot get \$25 for seed for that park. I would like to know what the hell the Fire Department wants \$2,400 for when we cannot get \$25 for seed for the beautification of a Memorial Park.

Coun. KEENAN—B-18. That is for cleaning?

President KELLY—Cleaning services.

Coun. KEENAN—Does that mean, Mr President, sheets and pillow slips?

President KELLY—Cleaning and laundry.

Coun. KEENAN—Do I understand at the present time the Fire Department members are taking home their sheets to remove dirt and their pillow slips and a few other things? I think it would be a good item to leave in. It is such a small item in there. Give it to the Fire Department rather than have them take home their sheets and pillow slips as it has been done in the past. It is such a small amount.

President KELLY—The question is on the recommendation of the Executive Committee to cut the amount \$2,400, and the Clerk will call the roll.

The motion to cut B-18 by \$2,400 was lost, yeas 7, nays 8.

Yeas—Councilors Bayley, Chase, Madden, Moriarty, Russo, Scannell, Sullivan—7.

Nays—Councilors Carey, Fish, Hannon, Hurley, Keenan, Kelly, Linchan, McCormack—8.

Coun. MORIARTY—I am going to ask reconsideration on that item.

President KELLY—Councilor Moriarty asks for reconsideration. Talking on reconsideration, Councilor Moriarty.

Coun. MORIARTY—Mr. President, a short time ago I had occasion to talk with a group of firemen regarding the laundry services in the Fire Department. They were not much annoyed to find that the money had expired and there was the possibility of no new appropriation for this service being submitted. It did not annoy them one whit to know that they might have to do their own service. As a matter of fact, one fellow out my way took it upon himself to contact many firehouses to get this service done by the firemen on their own to pay him a certain fee for pillow slips and sheets. In view of the benefits that they have derived through legislation and future benefits con-

templated, that is, the pay raise equal to the Police Department—they both enjoy them—they saw fit not to be annoyed at the elimination of this item in the budget. Therefore, Mr. President, I think it is a worthy cancellation from the Fire Department budget and I hope and respectfully submit to this Body my thoughts in the matter, that they wipe out the entire cleaning service from the budget.

Coun. RUSSO—Mr. President.

Coun. HURLEY—Mr. President.

President KELLY—The question comes on reconsideration. Councilor Russo.

Coun. RUSSO—In cutting the appropriation, I have in mind that his Honor the Mayor made a statement some time ago when he said that there would be no more sleeping in firehouses. After all, firemen are now working on a 48-hour basis and having that in mind, I don't see any reason why this appropriation should be let alone. They are getting a 48-hour week, and I think they are well justified in receiving the 48-hour week. However, I don't think it would be justified to be allowed sleeping quarters in any firehouse in our department. I hope this item will be stricken out.

President KELLY—Talking on reconsideration, Councilor Hurley.

Coun. HURLEY—They set up the working schedule of the firemen at 14-hour days and 12-hour days. Is that right?

Coun. BAYLEY—Two 10-hour days.

Coun. HURLEY—Two 10-hour days, and the commissioner decided to leave the beds in the Fire Department for men on duty 14 hours whether night or day. This is a small amount, and surely you would not want these men in the Boston Fire Department rushing home every morning after sleeping in a bed and carrying their sheets and pillow cases or blankets home so that their wives would have to wash their linen. I think, Mr. President, this is a small thing in not causing inconvenience to the firemen and to their wives on rushing home with this linen that they may be sure their husbands are sleeping on clean beds.

Coun. KEENAN—Mr. President, I understand that the members of the Boston Fire Department are working on the 48-hour week, and I understand the newly-appointed members of the Fire Department, temporary employees, are on a 70-hour week. As long as they are going to keep the beds there, regardless of the 70 hours or 48 hours, I think it is darned nice to come back in the middle of the night in the wintertime and to crawl into a nice, clean, warm bed and I think the \$2,400 should be left in there rather than, as Councilor Hurley said, bringing the sheets and pillow cases home to their wives and have them do the extra work.

Coun. MADDEN—Mr. President, at first I was opposed to this, but I happen to remember the admonition of my own brother. My own brother has been in the Fire Department for about 25 years, and I asked him some time ago about that suggestion of the Mayor to have the beds out of the fire stations, and he said it was not a question of being lazy, but in taking them out it would be positively cruel. It would be cruel because there are many firemen who are very sincere and very conscientious and will go in to fight a fire, and the kid brother said the men who actually do the fire fighting—they have fire fighters and fire fakirs, men in uniform who have not got the guts to fight a fire, and won't unless you prod them. In every department there are a certain number of men who do the work. I am informed on reliable authority given to me from a real fireman, and I think my brother Joe is a real fireman, and he has been on many years, that many, many nights they come home in a fog. You probably read where a boy was killed in Allston about a month ago. My brother fell through the floor with that kid and was gassed. It does not make any difference to me one way or the other, fellows, and I don't want to impose on you, but I think on that authority, many, many times a real fireman, the man who does the fighting, when he comes back he is groggy from smelling smoke, and if he did not have a bed to lie down on, they would probably have to take him to a hospital.

Coun. RUSSO—I would like to ask a point of information. There seems to be a conflicting opinion in regard to the beds now being used in the Fire Department. Do I understand that the provisional appointees work more than 48 hours a week?

President KELLY—I understand 68 hours, councilor, for the temporary employees.

Coun. RUSSO—The temporary employees, 68 hours a week.

President KELLY—That is my understanding.

Coun. RUSSO—How many hours a day do they work?

President KELLY—I don't know what the day's schedule is, but I know what the hours are at the end of the week, 68 at the end of the week.

Coun. RUSSO—I would like to get this information in order to make up my mind and in order to cast my vote, and know I am casting my vote in the right direction. When I stated his Honor the Mayor made that statement some time ago, I had that in mind. I have been given to understand the temporary employees work 68 hours a week, and they work Sundays, 24 hours a day. If that is so, I would like to have that information if anyone knows.

President KELLY—I understand they have one 24-hour day a week and one 16-hour.

Coun. RUSSO—Are these the men, Mr. President, for further information, who would use these beds in the firehouses?

President KELLY—I understand they do when they are on 24 hours. Naturally they would have to use a bed.

Coun. RUSSO—Then I would change my vote, if that is the definite answer.

President KELLY—The question is on reconsideration.

The motion to reconsider was carried, and the question came on cutting B-18 by \$2,400.

Coun. CHASE—Mr. President, is this with reference to the item of laundry and cleaning?

President KELLY—Yes, councilor.

Coun. CHASE—When you say cleaning, Mr. President, do you mean like cleaning coats, dry cleaning?

President KELLY—Well, no. We call cleaning, councilor, blankets, sheets and pillowcases.

Coun. CHASE—Mr. President, the reason I asked the question is because some few months ago I received an anonymous letter from some one who apparently did business with the city in a prior administration, and I was told in that letter, Mr. President, believe it or not, under this administration it costs twice as much for the cleaning of firemen's clothes as it does policemen's, or something to that effect. I checked in the Auditor's office and I found that was so. I could not quite understand why it should cost so much more for firemen than for policemen. Secondly, Mr. President, I also found under this administration the contract for cleaning work on firemen's pants was charged twice as much as by the contractors who received it during the prior administrations. That is something I could not understand, either. Mr. President, the word "cleaning" is pretty broad. It could include cleaning of drapes and clothes.

President KELLY—This is the cleaning, councilor, contractual services that would include laundry and cleaning.

Coun. CHASE—Frankly, Mr. President, in view of the fact that some months ago it was called to my attention that those are excessive bills as far as the Fire Department is concerned, I see no reason why we should not reduce this item. As a matter of fact, there was a cartoon in the *Boston Herald* on the matter as to how much more it cost to clean firemen's pants than it did the policemen's. So I see no real reason, Mr. President, in view of what has transpired in the past why we should not reduce this item.

President KELLY—The motion is on the committee's recommendation that Item B-18 be reduced \$2,400 and the Clerk will call the roll.

The motion to reduce B-18, \$2,400, was lost, yeas 4, nays 9.

Yeas—Councilors Bayley, Chase, Moriarty, Sullivan—4.

Nays—Councilors Carey, Cook, Fish, Hurley, Keenan, Kelly, Madden, McCormack, Russo—9.

Present—Councilors Linchan, Scannell—2.

President KELLY—The question now comes on the passage of the various appropriations as amended, and the Clerk will call the roll.

The appropriations as amended were passed, yeas 15, nays 0.

Yeas—Councilors Bayley, Carey, Chase, Cook, Fish, Hurley, Keenan, Kelly, Linchan, Madden, McCormack, Moriarty, Russo, Scannell, Sullivan—15.

Nays—0.

4. Report on order (referred March 10) asking information as to expenditure of \$5,000,000 loan for off-street parking—that same ought to pass.

The report was accepted, and the order was passed.

5. Report on order (referred January 20) that Mayor direct department heads to make arrangements for "On the Job" training for veterans—that same ought to pass.

The report was accepted, and the order was passed.

6. Report on order (referred April 14) re sealing small park in Oak square—that same ought to pass.

The report was accepted, and the order was passed.

7. Report on order (referred May 27) re erection of incinerator on Albany street—that same ought to pass.

The report was accepted, and the order was passed.

8. Report on message of Mayor and order (referred May 20) that officials of Retirement Board increase minimum retirement benefits paid to members of retirement system—that communication be placed on file.

The report was accepted, and the communication was placed on file.

9. Report on ordinance (referred December 30, 1946) concerning salaries of department heads and officials—that same ought not to pass.

The report was accepted, and the ordinance was rejected.

USE OF CITY-OWNED AUTOMOBILES.

Coun. LINEHAN offered the following:

Ordered, That, pursuant to the Finance Committee's recommendations of May 21, 1947, relative to City of Boston owned automobiles, the following provisions be adopted through his Honor the Mayor:

1. Keep an official list of the City of Boston owned automobiles and the assignment of them.

2. Adopt uniform registration of City of Boston owned automobiles.

3. Display the "City of Boston" label or other City of Boston designation, and also a designation in words by which department such automobiles are used on each side of such City of Boston owned automobiles.

Coun. LINEHAN—Mr. President, I think the report of the Finance Commission relative to the subject matter at hand is a pretty good one. They realize they cannot do much about the use of city-owned automobiles, but they make recommendations as to what should be done, and I think I have some of the recommendations enumerated in this order. I find myself surprised we have not a simple agency to find out just what automobiles are owned by the city, just who is using them, and so on, and I hope his Honor the Mayor will have some procedure as outlined in this order. I hope the Council will go along 100 per cent on it.

Coun. COOK—Mr. President, I am in favor of the order, but I disagree with the previous councillor as to saying the Finance Commission's report is a good one. The Finance Commission has powers that this Council does not have, and when they say that they can't find out about the control of city cars, and say further it is only by canvassing the departments that any such information can be compiled, it seems to me that they are derelict in their duties in not using the money and their powers in canvassing the departments and to give us a true answer to find out how many cars there are, who is using them, and for what purpose. Too many times the newspapers take up the Finance Commission's reports holding the Council up to ridicule, and the answer, Mr. President, which is a justifiable and a true one, is that we have not the power to make these department heads give us the answer we want. The Finance Commission has that power by statute, and to come back with an evasive report like this and say they cannot find out is an admission of negligence and derelictious duty on their part. I, for one, would like to be on record to say the Finance Commission ought to put out a report that the City Council could use, a report made in accordance with the power that they have. I hope this order is passed, and I hope the Finance Commission takes steps to make sure that this situation is rectified, as it is within their power to do.

Coun. LINEHAN—Mr. President, I did not mean to say, if I did, that they made a good report and a good investigation. I merely said I thought their recommendations are good ones. As a matter

of fact, to my mind they are so good I am incorporating them in this order. I agree with the gentleman from Ward 12 (Councillor Cook) that the Finance Commission really has not done much work, but at least they have made recommendations which I sincerely hope the Mayor will adopt in the near future throughout the city departments.

Coun. BAYLEY—Mr. President, I agree with all the distinguished councillors have said before. They have made good recommendations, but I feel they have been derelict in their duties also. They have been asked by both this Council and the Mayor to find out what is happening. They have been asked to investigate, and they have the power, so let them investigate and bring back a report. There was an allowance of \$50,000 for them. They have enough to investigate, so let us have an investigation and let them bring back an answer yes or no.

Coun. CHASE—Mr. President, I don't think we can conclude by this present report of the Finance Commission that it is a final report. I think it is a reasonable assumption that it is a tentative report, and I see no reason why we should be taking the commission to task about it. It is only a week ago that this matter was called to their attention, and they apparently have seen fit to make this tentative report, and so far I consider it a very good one. I believe, Mr. President, the charges I made in the Council last week—it was not any story I personally made up. You will recall, Mr. President, I said on the floor of the Council that I heard certain reports, and then I asked the Council to request the Finance Commission to investigate those reports and also to inquire into the necessity of the use of high-priced limousines instead of medium-priced cars. The Finance Commission, Mr. President, if you will read page 1, states in part: "The commission is not unaware of the rumors and gossip with reference to the misuse of city-owned automobiles." From this statement here, Mr. President, I believe it is reasonable for me to say that the Finance Commission, too, must have heard of the rumors and stories that were called to my attention. Again, Mr. President, the Finance Commission in its report states on page 4: "The city adopted the above-quoted ordinance many years ago because charges of unauthorized use of city cars were then very frequent. Similar charges again are numerous." I assume by that statement, Mr. President, that the Finance Commission has had its attention called to the charges of unwarranted and improper use of city automobiles—not only the charges I made in open Council, sir, but charges from other persons. I assume, Mr. President, that the Finance Commission will continue to inquire into the use of automobiles owned by the city and I, for one, Mr. President, owe a vote of thanks to the Finance Commission for calling to the Mayor's attention the fact that the Finance Commission has heard many stories of improper use of cars and also that they recommend to him the advisability of adopting the proposal of closely following the ordinance as suggested by the councillor from South Boston.

Coun. HURLEY—Mr. President, talking about the Finance Commission report here, there is not much evidence uncovered to back up the charges made by the councillor from Ward 4 (Councillor Chase). I think they get about \$50,000 a year in our budget to check and investigate the city finances or the misuse of such vehicles or funds. The councillor says that he has received certain anonymous letters. If I had received a letter, I wouldn't know the contents of it.

Coun. CHASE—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. CHASE—I want to correct the gentleman.

President KELLY—Will you yield to Councillor Chase?

Coun. HURLEY—When I am through, I will yield to let him correct me.

President KELLY—Councillor Hurley.

Coun. HURLEY—It is a habit I have—that I think every councillor or any man holding public office in the Council should have—to tear up anonymous letters without reading them. Any man in public office, Mr. President, in the course of a year receives many anonymous letters, and I make it a practice always before I read the letter to look for the signature, and, when I don't see the signature, I tear up the letter and throw it in the wastebasket, and then I have no headaches. We know there are many eranks, and I think it has been proven in this Body in the past few months there is pettiness and meanness in anonymous letters.

People will write letters to us, dirty, filthy, sneaky individuals that have not got the courage to sign their names to a complaint. That is why I always made it a policy when I don't see the signature at the bottom of the letter to tear it up and throw it in the wastebasket, and this will also serve as a warning to people who hear about this that it is just silly to write an anonymous letter to me. But, as I said before, notwithstanding the charges, probably some crank—yes, it could be someone very much opposed to the administration, it could be someone that thought he should have more—would send in an anonymous letter, who had not the guts, not the courage or the manhood to put his signature after the body of the letter. Oh, Mr. President, you and I and other members here know what men in public office go through with anonymous letters, and the dirty, rotten part of it is that it is not always to us but to our wives and to our mothers and our sisters, getting those dirty, rotten, contemptible, filthy letters from dirty rats that would not put their names on them. I know on one occasion a councilor's wife was sick in the hospital, and in walked a nurse and passed her an open card with the dirtiest, the lowest, the filthiest language on it, to a woman lying between life and death, and thinking of the councilor, to have some dirty rat write a letter to his wife like that. Mr. President, we should pay no attention to a person who will not sign his name to the body of a letter. As I stated before, the councilor from Ward 4 stated that this was an anonymous letter. Of course, if it was to me you would not have heard about it, because I would not have read the letter, but that is the type of people who are writing anonymous letters, the type that would write a letter like that to the councilor's wife when she was just like that (indicating) between life and death. I saw the card and I blushed to think of this good woman having to look at that filthy, rotten card that was written by some dirty—I don't want it in the record what I would call that man or that woman that would stoop to do a dirty, filthy trick like that. That is the type that writes those letters, and in our case they will write that type of letter that went to that councilor's wife. Why, in the open they would not dare to sign their names, they would not dare to come face to face with the councilor or his wife and make reference not only to that councilor but to another councilor in here, and that particular letter, although it was written in good English, was the language of a rat. Please, members, do not pay any attention to anonymous letters, and I think we will have less headaches if you will follow my policy when you get those letters, and you will discourage the senders from sending them if they know you don't read them. Let it be known that, before you read a letter from anyone, you look for the signature on the letter and the address. That is all, Mr. President.

Coun. LINEHAN—Mr. President.

President KELLY—Councilor Linehan.

Coun. LINEHAN—Mr. President, I don't want to look as if I am filing this order because of any anonymous letters. On many occasions in the last three or four months I took the floor to disagree with members of the Council —

Coun. HURLEY—Mr. President.

President KELLY—For what purpose does the gentleman arise?

Coun. HURLEY—I am making only one short statement.

President KELLY—Councilor Hurley.

Coun. HURLEY—I approve of this order.

President KELLY—Councilor Linehan.

Coun. LINEHAN—Even though we had had a long discussion that had no part in this order, I will say this—I don't say the order filed by this gentleman from the Back Bay relative to this investigation was of no use. I find it was of use because it informed me of the fact that there is a city ordinance which requires city-owned cars to be painted a uniform, distinctive color, bearing on each side the words "City of Boston," and also a designation in words showing by which department such automobiles are used. No such practice is uniformly maintained. Most city cars are in standard black, because the city usually buys cars of that color, but most of them have no City of Boston label or any other designation. If we did nothing by the adoption of this order but have put in effect by the Mayor of Boston the ordinance that has been on our books, the filing of the order by the gentleman from the Back Bay will be of avail.

Coun. CHASE—Mr. President, I want to say this—the order which I filed last week was not the result of an anonymous letter. I did not speak, Mr. President, as of my own knowledge. I refer you to the minutes of the meeting of last week. If you will recall, Mr. President, my order specifically said that the Boston Finance Commission be requested to investigate the reports of the wrongful use of city-owned automobiles and to inquire into the necessity of the use of high-priced limousines instead of medium-priced cars. Mr. President, I was prompted to file this order because I received reports from an individual, a responsible person, and I, sir, in my capacity as City Councilor, feel that I have a right to get on the floor and inform the Council that certain reports have been called to my attention and to request the Council to have the proper investigating body investigate. We spend \$60,000,000 a year annually. God only knows, Mr. President, how many hundreds of thousands of dollars, how many millions of dollars, could be saved the taxpayers if we were on the alert. The Finance Commission has come out inside of five days and has given us a tentative report. They admit, sir, there is something wrong in the system, in the control of automobiles, and they admit, sir, that the Finance Commission has been aware of the reports of the wrongful use of city automobiles. I don't like to see the gentleman from Roxbury try to draw a red herring through this issue. This request of mine is not based on any anonymous letter, and there has not been a day gone by, Mr. President, that I have not received telephone calls or actually written letters signed by people with their addresses from different parts of the city informing me, Mr. President, of the specific cases of the illegal use of city-owned automobiles. I assume, Mr. President, the Boston Finance Commission over a period of years has had similar complaints called to their attention. Yet, Mr. President, I went to the extent of calling to your attention the reports that I heard. I did not say, Mr. President, that I saw, or that I received an anonymous letter which prompted me. I said I received reports, and I say today, sir, everything I said on the floor of the Council last week is based on the report given to me by a responsible citizen of this Commonwealth, a well-known citizen of the Commonwealth, one in whom I, as a member of the Boston City Council, have the utmost confidence and belief that what he says is true. Because of those reports to me, sir, I requested this investigation, and I think the Finance Commission has given a good tentative report. I don't think that I, as the one who was prompted to request the investigation, should criticize the Finance Commission for the report which they have given us which makes us aware that the city is being subjected to the wrongful use of automobiles. They have called to our attention, sir, a city ordinance which today is being violated and has been violated for some time. Bearing in mind, sir, there are hundreds of city-owned automobiles, how many of them are carrying the city seal and, specifically, what department is using it? You and I know, sir, there are many large limousines touring this city. Whether or not they are being used for city service, we don't know. As a matter of fact, tomorrow or even tonight you may witness a big Buick rolling up the street with some city official in it, and yet, sir, you would not know if that was a city car. Why? Because that car is rolling the streets without complying with a city ordinance which says it should have the City Seal and be of a certain color. If I remember correctly, his Honor the Mayor apparently told the newspaper reporters last week that he would not insist on full compliance with this ordinance or something to that effect; at least, he indicated he was not going to insist on compliance. Mr. President, that does not surprise me. Just go back over the years and see how many times his Honor the Mayor has committed a breach of the law. I personally, Mr. President, give the Finance Commission a vote of thanks for the recommendation they have given to the Mayor.

Coun. HURLEY—Mr. President, in the communication I have before me from the Finance Commission it says, "The Commission desires to reply both to you," meaning the Mayor, "and to the City Council that under the circumstances existing in respect to the city automobiles it is impossible at the present time to obtain the complete facts on either of the points mentioned in the above order."

Coun. CHASE—"At the present time."

Coun. HURLEY—Mr. President, if what the councilor from Ward 4 says is a fact and he has

received this information, authentic information that he has talked about from a certain person or that he has received a signed letter or that he has talked to him on the telephone and knows the voice and knows him to be that party, if he has turned this information in his possession over to the Finance Commission, I think even at the present time the Commission would not be writing a report until it had investigated this matter thoroughly. If the councilor has turned this information over to the Finance Commission, the Finance Commission is not entitled to \$50,000, writing worthless reports and not spending the money appropriated by this Body to the right advantage. It sounds silly. Here is an investigating body set up by the State to look after the funds of the City of Boston, and an elected official of Boston makes complaint and turns over the information he has, whether it was a talk with John Doe or a letter from Richard Roe, or a telephone conversation with someone else, and before this information that he has turned over to the Finance Commission has been investigated thoroughly, they write back a report such as this, not worth the paper it is printed on. Something is wrong, either the Finance Commission is dead wrong in their investigations or else, and I don't believe it, the councilor is not telling the truth. I believe he is, and I lay the entire blame on the Finance Commission. Mr. President, I think the Finance Commission should be censured if the facts are as stated by the councilor, and if this is the type of report we get back, no more attention should be paid to them.

Coun. COOK—Mr. President, I am sort of glad I opened up this subject. The councilor from Ward 8 (Councilor Hurley) has said what I would have liked to have said. The Finance Commission admits on its first page that it is not unaware of the rumors and gossip with reference to the misuse of city-owned automobiles. Therefore, I would like to point out to the councilors who are zealous in praising them that they should not have waited for this order. They are supposed to be the watchdogs of the city treasury. Secondly, where the City Councilor has just admitted that he did not have an anonymous letter or call or message, that he had definite people who had definite facts to give him which was what caused him to bring the matter before the Council, why, it seems to me any rookie policeman in two days could check on the rumors with reference to the use of city-owned automobiles by an assistant censor. In the papers that charge has been answered; at least, the person accused has denied she has ever ridden or used a city-owned automobile, and unless this person who started the report or the rumor is afraid to come forward to substantiate the report, that first statement must be taken as the truth. With reference to the use of a car to drive to Florida, if the one who gave the report to the councilor knew about it, one way to find out if it is true is to call up the department head and ask him, "Did you go to Florida?" and if he said, "Yes," ask, "Did you use a city-owned car?" If he said, "No," it is easy to check. All you have to do is to find out where he stayed in Florida and find out the registration of the car that was there. That is why I say the Finance Commission is wasting our money in giving us these reports, and the only reason they gave us this report is to get in on the act. They have been doing an act ever since they have been in business to justify their existence. With all their reports, nothing ever came out of them except criticism. The only thing that was ever done concretely happened either from the Executive office or from the Council. I stand on my original criticism of the Finance Commission. They sent out a report that does not answer specifically what they were asked to do, especially when they have the appropriation and the power

and the means to do it where the Council has not. I hope the order is passed without any further discussion.

Coun. CHASE—Mr. President, I see no necessity of criticizing the Finance Commission to the extent it has been criticized. I have been many years in this city government, and I can say for one God help the City of Boston if we did not have the Boston Finance Commission. There would be more loot and plundering of the taxpayers than what is going on now if it was not for the Finance Commission. I know this, Mr. President, if what the Finance Commission has said is true, that the status of automobiles in the city is in such a hodge-podge that no one knows where they are, and we know there are hundreds, there is no use recommending to the Mayor that he straighten it out and that he get it in shipshape just like a business would, so that you could put a finger on each car, know where it is assigned and who uses it, when probably the Finance Commission could make an intelligent report. But I, for one, don't expect the Finance Commission in four or five days to come back with a report of findings of the use of every automobile in the city service when they can't put their fingers on the automobiles. If you read the report in its entirety, you can readily appreciate it would be a job. In their concluding paragraph, they say, "The number of city passenger cars is now in the hundreds. Obviously, therefore, it is impossible for the Finance Commission to report on past 'wrongful use of them.' The Commission believes its time can be used to better advantage in developing a means of preventing such use. To do so, or to give opinion on whether or not an employee needs this type or that, the list and control of city-owned cars must be established. That is the responsibility of the Executive head, the Mayor of the city, and the Finance Commission recommends that he take that step." Mr. President, when this city ordinance was called to his Honor the Mayor's attention last week, if I remember the reports of the newspapers correctly, he informed the press that he did not propose to enforce the city ordinance, and if he does not propose to enforce the city ordinance, how in God's world are you going to have an intelligent check on the use of these cars?

The order was passed under suspension of the rules.

CHAIN-LINK FENCE, DORCHESTER PARK.

Coun. KEENAN and FISH offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to erect a chain-link fence on the Dorchester park property along Adams street.

Passed under suspension of the rules.

RENAMING NEW FIREBOAT "JOHN P. DOWD."

Coun. BRYAN and McCORMACK offered the following:

Ordered, That his Honor the Mayor be requested to retain the name of "John P. Dowd" by re-naming the new fireboat the "John P. Dowd" when it is placed in commission, in order to perpetuate the memory of John P. Dowd, an outstanding hero of World War 1.

Passed under suspension of the rules.

Adjourned, on motion of Councilor Fish, at 7.02 p. m., to meet on Monday, June 2, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 2, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilor Fish.

The meeting was opened with the salute to the Flag.

Coun. HURLEY in the chair.

JURORS DRAWN.

Jurors were drawn, Councilor Linchan and Councilor Bryan presiding at the box, in the absence of the Mayor, viz.:

Twenty-two grand jurors, Superior Criminal Court, to appear July 7, 1947:

Raymond N. Gunn, Ward 2; John A. Kiley, Ward 6; Thomas F. Fahey, Ward 8; John J. Heavern, Ward 11; Arnold C. Wingood, Ward 12; George E. DuPont, Ward 13; Roy F. Sleeper, Ward 13; Carl T. Young, Ward 13; William Hurwitz, Ward 14; George W. McDonald, Ward 14; James P. O'Malley, Ward 15; William J. Curran, Ward 16; Thorwald T. Peterson, Ward 17; Martin J. Redington, Ward 17; Edward F. Hines, Ward 18; William G. Young, Ward 19; Rudolph F. Gerlach, Ward 20; Harvey M. Tompkins, Ward 20; Leslie Cohen, Ward 21; Charles G. Keshen, Ward 21; Edward Schanzer, Ward 21; Robert F. Walker, Ward 22.

Fifty-four traverse jurors, Superior Criminal Court, to appear July 7, 1947:

Albert C. Brun, Ward 1; George Rizzo, Ward 1; George P. Healey, Ward 2; George M. Bezreh, Ward 3; Salvatore DePasquale, Ward 3; Henry S. Desler, Jr., Ward 3; Dominic Luciano, Ward 3; Joseph E. Gallagher, Ward 4; John F. X. McCabe, Ward 4; William E. Stark, Ward 4; Arthur L. Tirrell, Ward 4; Isaac W. Wingersky, Ward 4; Willard H. Bradbury, Ward 5; Guy F. Raynes, Ward 5; Wendell D. Reed, Ward 5; Edwin A. Kelly, Ward 6; Joseph L. McCarthy, Ward 6; Clarence J. Sanpison, Ward 6; Fred G. Uber, Ward 6; Dominic Forte, Ward 8; Robert E. Brooks, Jr., Ward 9; Harry Segal, Ward 9; William Ryan, Ward 10; Charles Schindler, Ward 12; Israel Siegel, Ward 12; Charles Chambers, Ward 13; Clarence N. Jackson, Ward 13; Bernard Aignes, Ward 14; Eddie Baler, Ward 14; Lawrence A. Calley, Ward 14; Philip Cone, Ward 14; Morris Corman, Ward 14; Joseph J. Davidson, Ward 14; Edward Hinckle, Ward 14; Harry Pitt, Ward 14; Louis Seaver, Ward 14; Bernard Stone, Ward 14; Leo J. Wallace, Ward 14; Julius S. Levy, Ward 15; Joseph Lezar, Ward 15; Peter O'Hare, Ward 16; Thomas W. Mountain, Ward 18; Kirke W. Walker, Ward 18; Frederick W. Ruhl, Ward 19; John J. Collins, Ward 20; Charles S. Abber, Ward 21; Clarence L. Ferguson, Ward 21; Nathan Leavitt, Ward 21; John B. Murto, Ward 21; Harry Raphael, Ward 21; Marcus Rosenthal, Ward 21; Joseph P. D. Byrne, Ward 22; Joseph Finn, Ward 22; Joseph L. Flynn, Ward 22.

President KELLY in the chair.

APPOINTMENT BY THE MAYOR.

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

Samuel Tarle, 115 Homestead street, Roxbury, Mass., to position of constable for term ending April 30, 1948, authorized to serve civil process upon filing of bond.

Referred to the Committee on Constables and Confirmations.

FLAGPOLE, MURRAY PARK PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, June 2, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Commissioner relative to your order of May 5, concerning the erecting of a flagpole on the Murray Park Playground, in North Brighton, Ward 22.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, May 29, 1947.
Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I am acknowledging your memorandum of May 6 with inclosure, order from the City Council that the Park Commissioner erect a flagpole on the Murray Park Playground, in North Brighton, Ward 22.

We have received three bids, the lowest of which is from the Pigeon Hollow Spar Company of East Boston. Their price is between \$600 and \$700.

I will try to obtain the money and award the contract during the ensuing week.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

TRAFFIC SIGNALS, ATLANTIC AVENUE, FLEET STREET, EASTERN AVENUE WHARF.

The following was received:

City of Boston,
Office of the Mayor, May 20, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of April 28, 1947, relative to the installation of traffic signal lights at the intersection of Atlantic avenue, Fleet street and the Eastern Avenue Wharf.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Traffic Commission, May 13, 1947.
HON. JAMES M. CURLEY,
Mayor of Boston.

Dear Sir,—This is to acknowledge receipt of your letter of April 29 concerning the Council order of April 28, requesting the Boston Traffic Commission to install immediately traffic signal lights at the intersection of Atlantic avenue, Fleet street and the Eastern Avenue wharf.

Please be advised that in company with traffic engineers of this department I have made a survey of this intersection. I believe that Councilor Russo is justified in his demand that some relief be provided for the movement of traffic at this intersection. However, at the present time due to the difficulty of obtaining materials there is no possibility of erecting signal lights at this junction.

I have this day contacted Police Commissioner Sullivan and he has promised me that he will personally investigate this intersection with a view to providing a permanent traffic officer until such time as equipment is available.

Very truly yours,
LEO F. CURLEY, Commissioner.

Placed on file.

PROPER EXITS, FENWAY PARK.

The following was received:

City of Boston,
Office of the Mayor, June 2, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Building Commissioner relative to your order of May 19, 1947, concerning the matter of requesting the Boston American League Baseball Company to provide proper exits for the patrons in the rear of the grandstand.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Building Department, May 28, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—I am returning herewith the copy of the order passed by the Boston City Council on May 19, 1947, requesting that the Boston American League Baseball Company be directed "to provide proper exits for the patrons in the rear of the grandstand."

Under the provisions of chapter 143 of the General Laws, particularly section 33, jurisdiction in the premises is vested in the Commissioner of Public Safety, Mr. John F. Stokes. The recommendations of the City Council should be directed therefore, to Mr. Stokes.

Very truly yours,

JOHN J. MAHONEY,
Building Commissioner.

Referred to Executive Committee.

SALARY RANGE FOR FIRE DEPARTMENT MEMBERS.

The following was received:

City of Boston,
Office of the Mayor, May 28, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Fire Commissioner relative to your order of May 12, 1947, requesting a salary range for the members of the Fire Department, equal to the newly adopted salary range for members of the Police Department.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Fire Department, May 27, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—I acknowledge receipt of a copy of order introduced in the City Council by City Councilor Muchnick which reads as follows: "Ordered, That his Honor the Mayor instruct the Fire Commissioner to take steps to provide immediately a salary range for the members of the Fire Department, equal to the newly adopted salary range for members of the Police Department."

In City Council May 12, 1947. Passed.

Attest:

J. B. HYNES,
City Clerk."

This matter has already come before your Honor for consideration but, inasmuch as you have stated that no further salary increases would be granted to the uniformed members of the Fire Department during this calendar year, I believe it would be inappropriate for me to make any further comment other than to say that no provisions have been made in the 1947 budget to cover any such increases in salary.

Respectfully yours,
RUSSELL S. CODMAN, JR.,
Fire Commissioner.

Referred to Executive Committee.

TRANSFER OF FORMER ENGINE 47, EAST BOSTON, TO PUBLIC WORKS DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, June 2, 1947.
To the City Council.

Gentlemen,—I am in receipt of a communication from the Fire Commissioner in which he states that his department has no further use for the quarters formerly occupied by Engine 47, East Boston.

I am also informed that these quarters can be utilized by the Public Works Department.

I submit herewith an order for the transfer of this property from the Fire Department to the Public Works Department and respectfully request its passage by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Fire Department, May 26, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—I am informed by the Commissioner of Public Works, Mr. Robert P. Curley, that his department could use the fire station, formerly occupied by the crew of Engine 47, at 120 Lewis street, East Boston, which was the fireboat located on the East Boston waterfront.

This fireboat was recently turned over to the Public Works Department, and I believe has been sold for junk.

When the Navy Mine Sweeper purchased by the city for conversion as a fireboat goes into service this boat will provide accommodations for the crew to remain aboard ship during tours of duty.

It is my recommendation, therefore, that the fire station and the wharf thereunder be transferred to the Public Works Department, the Fire Department to retain ownership of the remainder of the wharf and access thereto for use by the new fireboat and its crew.

Respectfully yours,
RUSSELL S. CODMAN, JR.,
Fire Commissioner.

Ordered, That the fire station and wharf, located at 120 Lewis street, East Boston, and formerly occupied by Engine 47, be, and hereby is, transferred from the care, custody and control of the Fire Department, to the care, custody and control of the Public Works Department.

Referred to Executive Committee.

TRANSFERS OF APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, June 2, 1947.
To the City Council.

Gentlemen,—The enclosed requests for transfer of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, May 22, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—It is respectfully requested that you arrange for the following transfer of funds within the Park Department budget and appropriation as allowed for the year 1947:

From Park and Playground Improvements, etc., Revenue, \$55,000, to A-2, Temporary Employees, \$50,000; D-9, Educational and Recreational, \$5,000.

The transfer of \$50,000 to A-2 is needed so that we might engage help to handle the recreation program on the playgrounds that was formerly under the jurisdiction of the School Department during the summer months.

The transfer of \$5,000 to D-9 is needed so that we may purchase playable equipment for use on the playgrounds, including baseballs, gloves, tennis equipment, football and basketball equipment as well as miscellaneous supplies needed for children's games.

Very truly yours,
WILLIAM P. LONG, Chairman.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Park and Playground Improvements, Etc., \$55,000, to the appropriation for Park Department, A-2, Temporary Employees, \$50,000; D-9, Educational and Recreational, \$5,000.

City of Boston,
Institutions Department, May 23, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—Authority is requested to transfer the total unencumbered balance on our appropriation for Institutions boat, purchase, alterations, etc., in the sum of \$1,990.91, to steamers "James Michael Curley" and "Michael J. Perkins," to provide for purchase of spare parts,

material and tools to be used by our own crew in making minor repairs on the motor vessel "James Michael Curley," said amount to be allocated as follows:

From Institutions Boat, Purchase, Alterations, Etc., \$1,990.91, to Steamers "James Michael Curley" and "Michael J. Perkins," C-11, Marine, \$100; C-13, Tools and Instruments, \$100; C-17, Miscellaneous Equipment, \$100; E-1, Building, \$700; E-10, Electrical, \$300; E-13, Materials, \$690.91.

Orders are now being held pending transfer of funds.

Respectfully yours,
G. FRANK McDONALD, Commissioner.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Boat, Purchase, Alterations, Etc., \$1,990.91, to the appropriation for Institutions Department, Steamers "James Michael Curley" and "Michael J. Perkins," C-11, Marine, \$100; C-13, Tools and Instruments, \$100; C-17, Miscellaneous Equipment \$100; E-1, Building, \$700; E-10, Electrical, \$300; E-13, Miscellaneous Materials, \$690.91.

Referred to Executive Committee.

SUPPLEMENTARY BUDGET FOR FIRE DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, June 2, 1947.

To the City Council.

Gentlemen,—I submit herewith supplementary budget recommendations totaling \$49,500 for the following purpose:

Fire Department..... \$49,500

These appropriations are necessary to maintain the operating efficiency of the Fire Department; to provide sufficient funds to purchase tires, because of the fact that present synthetic rubber tires are deteriorating faster than tires formerly in use; to provide uniforms for new men and officers required due to the 48-hour law now in effect; to provide sufficient funds for the purchase of gasoline due to the change to high octane, and for gasoline and oil used for instruction of new men at the Navy Fire Training School in South Boston; and to provide for building materials for the maintenance of 57 buildings and automobile parts used by department mechanics.

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

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Fire Department, May 28, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—I am informed that by action of the City Council, taken on Monday, May 26, 1947, certain items in the Supplementary Budget for the Fire Department were reduced by the following amounts:

C-15, Tires, Tubes and Accessories..... \$5,000
C-16, Wearing Apparel..... 29,000
D-11, Gasoline, Oil and Grease..... 7,500
E-1, Building..... 4,000
E-13, Miscellaneous..... 4,000

Total..... \$49,500

I respectfully request that your Honor introduce another order in the City Council to restore these amounts for the reasons as set forth below:

C-15, Tires, Tubes and Accessories..... \$5,000

Fifteen thousand dollars was requested and allowed in this item in the 1947 budget but because of the fact that the present tires are made of synthetic rubber they deteriorate much faster

than tires formerly in use in the department. At the present time there is a balance of \$8,923 in this item and at least \$5,000 additional is required in order to care for our needs during the balance of 1947. Furthermore, the department is responding to a greater number of alarms than in the previous year thereby causing additional wear and tear on department tires.

C-16, Wearing Apparel..... \$29,000

One hundred and ten thousand dollars was requested in this item in the 1947 budget but only \$40,000 was allowed. At the present time there is an unencumbered balance in this item of only \$9,625. In order to supply uniforms, leather fire hats and rubber coats to the 500 new men appointed this year and to the additional 100 men to be appointed shortly it will be necessary to spend approximately \$119,000. Practically all of the \$40,000 originally allowed has been expended to provide uniforms for men returning from the service and to replace old and worn-out uniforms, fire hats and rubber coats. A requisition has already been submitted to the Supply Department for uniform clothing in the amount of approximately \$74,000. However, unless additional funds are allowed orders for uniforms already requisitioned for additional uniforms required cannot be placed. The additional funds are required not only to equip the 600 new men, approximately 300 of whom are now permanent firemen, but for essential replacements for permanent members of the force, many of whom have received no uniforms for more than two years.

D-11, Gasoline, Oil and Grease..... \$7,500

Thirty thousand dollars was requested in this item in the 1947 budget but only \$28,000 was allowed. As of April 23 there was an unencumbered balance of \$17,625. At the present rate of spending the balance in this item will not carry us through the year. Since the early part of 1947 all fire apparatus has been using hi-test gasoline inasmuch as the regular gasoline formerly used was of poor grade and caused damage to motors and carburetors. Hi-test gasoline costs approximately a cent and a half per gallon more than the regular gasoline. Through the courtesy of the U. S. Navy Department we have been granted use of the fire training school in South Boston where hundreds of our men must be trained in the fighting of oil and gasoline fires by officers of this department. Gasoline and oil used at this location must be paid for by the Fire Department which will mean an additional expense. The consumption of gasoline by over-aged apparatus was greater this year than previously estimated by reason of the equipment's age as well as a greater number of responses to alarms of fire.

E-1, Building..... \$4,000

Fifteen thousand dollars was requested in this item and \$14,000 was allowed in the 1947 budget. At the present time there is an unencumbered balance in the item of only \$4,607. In order to maintain approximately 57 Fire Department buildings many small renewals and repairs are required. However, during the war many materials and hardware parts were unobtainable. Therefore, additional renewals and repairs are being made this year. From present indications it appears that at least \$5,000 additional will be required in this item to pay for only necessary building materials.

E-13, Miscellaneous..... \$4,000

Eighty-five thousand dollars was requested in this item in the 1947 budget but only \$40,000 was allowed. At present there is a balance of approximately \$13,916 in the item. Fifty-one thousand two hundred and forty-three dollars and 10 cents was expended in 1946. Until a considerable number of pieces of major apparatus now on order are delivered to the department this item will tend to increase rather than decrease inasmuch as practically all automobile parts used by our mechanics in the repair of trucks and passenger cars are paid for out of this item. Because of an increase in the number of alarms responded to there has been a corresponding increase in the number of breakdowns in fire trucks. Most of the repair work is done in our Maintenance Division and at present our mechanics are working overtime in an attempt

to keep up with the repair work required. At least \$10,000 additional is the absolute minimum which should be allowed so that our major fire-fighting apparatus can be maintained in operating condition.

Respectfully yours,
RUSSELL S. COBMAN, JR.,
Fire Commissioner.

Ordered, That the respective sums of money specified in the schedule hereinafter set out be, and hereby are, appropriated for the purposes hereinafter specified, said sums to be raised by taxation on the polls and estates in the City of Boston, and that all orders heretofore or hereafter passed by the City Council relating to appropriations, taxes and the interest thereon, apply to the appropriations and taxes herein provided for.

FIRE DEPARTMENT.

C. EQUIPMENT.....	\$34,000
15. Tires, Tubes and Accessories.....	\$5,000
16. Wearing Apparel.....	29,000
D. SUPPLIES.....	7,500
11. Gasoline, Oil and Grease, \$7,500	
E. MATERIALS.....	8,000
1. Building.....	\$4,000
13. Miscellaneous Materials, 4,000	
Total.....	\$49,500

Referred to Executive Committee.

APPROPRIATION FOR CARE OF GRAVES OF SOLDIERS, SAILORS AND MARINES.

The following was received:

City of Boston,
Office of the Mayor, June 2, 1947.

To the City Council.

Gentlemen,—Chapter 115, section 22, of the General Laws provides that the Mayor shall annually appoint a citizen, preferably a war veteran, who shall be charged with the duty of suitably keeping and caring for the graves of those who have served in the Army, Navy or Marine Corps of the United States in time of war.

The provisions of this statute have been complied with and with the approval of your Honorable Body funds for the maintenance of this activity have been made available. The last order transferring the sum of \$10,000 from the Contingent Fund was passed by your Honorable Body on April 30, 1946.

The funds now available will shortly be expended, and, believing this activity should be continued, there is forwarded herewith an order appropriating the sum of \$10,000 to be charged to the Contingent Fund. Your consideration and passage of this order is respectfully recommended.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of ten thousand dollars (\$10,000) be, and the same hereby is, appropriated, to be expended under the direction of his Honor the Mayor, for the care of graves of soldiers, sailors and marines, as provided in chapter 115, section 22, of the General Laws, said sum to be charged to the Contingent Fund.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

John W. Campbell, to be reimbursed for execution issued against him.

John F. Donovan, to be reimbursed as result of accident which occurred while in performance of duty.

Charles B. Freeman, for compensation for damage to car by fire apparatus.

Charles Kallas, for compensation for damage to property at 1173-1181 Washington street, caused by defective sewer pipes.

William J. Keenan, for compensation for damage to car caused by an alleged defect at 5 Fairmount street, Dorchester.

Abraham Klaasby, for compensation for damage to car by city car.

Louis Roberts, for compensation for damage to car by fire apparatus.

Committee on Licenses.

Petition of Boston Stadium Corporation for permit for laying out, use and location of land in Dorchester for race ground and track for midget auto racing and other racing, not including horse or dog racing, and for civic, athletic, sporting, patriotic and religious meets, events and celebrations as now allowed by city ordinances.

PERMITS FOR CHILDREN.

Petitions for children under 15 years of age to appear at places of public amusement were received as follows:

Mildred Saeco Palaza, Jordan Hall, June 23.

Kay A. McDermott, Jordan Hall, June 4.

Alda Marova, New England Mutual Hall, June 12.

Permits granted under usual conditions.

PUBLICATION OF CITY COUNCIL DEBATES.

The following was received:

City of Boston,

Office of the City Clerk, June 2, 1947.

To the City Council.

Gentlemen,—On May 24, 1947, chapter 447 of the Acts of 1947, entitled "An Act Prohibiting the Publication of the Substance of Debates in the City Council of the City of Boston" became effective.

This Act, amending the city charter, contains the following provision:

"The proceedings of the city council and school committee together with all communications from the Mayor, shall be published in the *City Record*; provided, that the substance of debates by and among members of the city council shall not be so published or published elsewhere at the expense of said city."

Very truly yours,

J. B. HYNES,
City Clerk.

Referred to Executive Committee.

REPORT OF DEBATE.

Coun. KINSELLA offered the following:

Ordered, That the City Clerk be instructed to order a transcription, at public expense, of all debate attendant upon the meeting of the City Council of Boston, held Monday, June 2, 1947, in the City Council Chamber in Boston City Hall, and to be prepared to defend his instructions in a court of proper jurisdiction.

Referred to Executive Committee.

REQUESTED REVOCATION OF BILL RE PRINTING OF COUNCIL MINUTES.

Coun. COFFEY offered the following:

Ordered, That the Corporation Counsel of the City of Boston be requested, through his Honor the Mayor, to take the necessary steps to set aside the bill just passed by the Legislature and signed by the Governor, regarding the elimination of the printing of the minutes of the City Council.

Referred to Executive Committee.

HEARING ON TELEPHONE RATE REVISION.

Notice was received from the Department of Public Utilities of hearing to be held June 12 at 10.30 a. m. on revision of rates of New England Telephone & Telegraph Company.

Placed on file.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of I. Joseph Mirkin and David Weir, having been duly approved by the City Treasurer, were received and approved by the Council.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Charles J. Lennon (referred May 19) as Constable to serve without bond and without authority to serve civil process for term ending April 30, 1948—that appointment be confirmed.

Report on appointment of Donald Sherlaw (referred May 26) to be Weigher of Goods for term ending April 30, 1948—that appointment be confirmed.

Report on appointment of Della Joyce (referred May 26) to be Weigher of Coal, for term ending April 30, 1948—that appointment be confirmed.

The reports were accepted, and the question came on confirmation of the appointments. Councilor Muehnick moved that the matter be referred back to the committee. The motion was lost, yeas 2, nays 15:

Yeas—Councilors Chase, Muehnick—2.

Nays—Councilors Bryan, Cantwell, Coffey, Cook, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo, Scannell, Sullivan—15.

The President appointed Councilors Moriarty and Linehan a committee to receive, sort and count the ballots. Whole number of ballots 15; yeas 12, nays 3, and the appointments were confirmed.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. BRYAN, for the Committee on County Accounts, submitted the following:

Report on message of the Mayor and order (referred May 26) to amend County Compensation and Classification Plans, re Superior Civil Court, Executive Secretary—that same ought to pass.

The report was accepted, and the order was passed.

REPORT OF COMMITTEE ON CLAIMS

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

Report on petition of Joseph C. Morgan (referred May 26) to be reimbursed for amount of execution issued against him on account of his acts as a member of Boston Police Department—recommending passage of the accompanying order:

Ordered, That the sum of five hundred fifty-two dollars and five cents (\$552.05) be allowed and paid to Joseph C. Morgan in reimbursement for amount of execution 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.

Report on petition of William T. J. Ross (referred May 26) to be reimbursed for amount of execution issued against him on account of his acts as a member of Boston Police Department—recommending passage of the accompanying order:

Ordered, That the sum of five hundred seventy-one dollars and fifteen cents (\$571.15) be allowed and paid to William T. J. Ross in reimbursement for amount of execution 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.

Report on petition of George Huber (referred May 5) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Highway Division, Public Works Department—recommending passage of the accompanying order:

Ordered, That the sum of twelve hundred dollars (\$1,200) be allowed and paid to George Huber in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Highway

Division, Public Works Department, said sum to be charged to the Contingent Fund.

Reports severally accepted; said orders passed.

REPORT OF COMMITTEE ON ORDINANCES.

Coun. HURLEY, for the Committee on Ordinances, submitted the following:

Gentlemen,—The Committee on Ordinances has considered, since April 21, a proposed revision of the ordinances as prepared by the City Clerk, under direction of an order of the City Council dated March 4, 1946.

I think if I read the letter of the City Clerk concerning this revision, the members will get a clear picture of what has been done. The letter is as follows:

City of Boston,

Office of the City Clerk, April 21, 1947.
To the City Council.

Gentlemen,—In compliance with the order of your Honorable Body, adopted March 4, 1946, I have prepared and submit for your consideration a draft of a revision of the ordinances.

The fourteenth revision was made in 1925, and it may be noted that from the incorporation of the city in 1822 up to 1925 the longest interval between revisions was 16 years. Since the 1925 revision more than 21 years have elapsed; the printed copies of that revision have not been available for distribution for the last two years; and the ordinances in addition to and amending it number 109 and fill supplementary documents of 90 pages.

This proposed revision incorporates those amendments and contains no changes in substance except those made necessary by legislative enactments, uncontested legal rulings, and subsequent ordinances.

If the City Council sees fit to adopt this revision and reserve their action on any controversial matters to subsequent amendments, it will serve to remedy a situation which has been a source of trouble and vexation to the courts, the legal profession and the general public for several years.

Respectfully yours,

J. B. HYNES,
City Clerk.

The explanation of the City Clerk seems to the committee to make it imperative that we adopt this new revision, the first since 1925, in order that the ordinances may be brought up to date, and be made available to the public, the courts, and the legal profession.

The committee has given this matter its close attention, and recommends that the revision, as submitted, be adopted as the Revised Ordinances of 1947.

For the Committee,
WILLIAM F. HURLEY,
Chairman.

Accompanying the report was a copy of the revised ordinances as submitted by the City Clerk.

The report was accepted, and the question came on the acceptance of the revision of the ordinances. Councilor Linehan moved that the present ordinance relative to sick leave and vacation time for employees be retained. The motion was carried. The ordinances as revised, with the exception of the elimination of the ordinance relative to sick leave and vacation time for employees, were adopted.

LEASE OF ELM STREET BUILDING TO DISABLED AMERICAN VETERANS, POST NO. 71.

Coun. KINSELLA 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 Disabled American Veterans, Post No. 71, of Charlestown, Mass., for a term of five years, at an annual rental of one dollar a year, the following described

premises, with the right to cancel any lease at 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, No. 27.

Passed under suspension of the rules.

CLEANING OF CHARLESTOWN STREETS.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to order the Public Works Commissioner to proceed at once to the cleaning up of the streets in Ward 2, Charlestown, in anticipation of the June 17th parade.

Passed under suspension of the rules.

ROPING OFF CHARLESTOWN STREETS, JUNE 17.

Coun. KINSELLA offered the following:

Ordered, That the City Messenger be, and he hereby is, authorized to rope off the streets in Charlestown for the June 17th parade, the expense of same to be charged to the City Council appropriation for Stakes, Ropes and Flags.

Passed under suspension of the rules.

HEARING REQUESTED RE CONSTRUCTION OF VETERANS' MEMORIAL AUDITORIUM.

Coun. LINEHAN, MORIARTY, LANE, COFFEY, COOK, MADDEN and KEENAN, offered the following:

Ordered, That his Honor the Mayor request the trustees of the George Robert White Fund to declare a public hearing for the purpose of considering a City Council order passed March 24, 1947, relative to the construction of a Veterans' Memorial Auditorium which will provide a living memorial to the City of Boston's departed war heroes which can be kept alive by making provisions for housing war veteran organizations within the building housing the Auditorium.

The order was passed under suspension of the rules.

INSPECTION OF PLANES AND EQUIPMENT BEFORE TAKE-OFFS.

Coun. COFFEY offered the following:

Whereas, The people of Boston and of the Nation have been shocked by the recent aeroplane catastrophes; therefore be it

Ordered, That his Honor be requested to communicate with and urge the Massachusetts Delegation in Congress to take the necessary steps to have a government inspector assigned to all air fields to inspect all planes and equipment before take-offs.

Passed under suspension of the rules.

LEGISLATION RE COUNCIL MEMBERSHIP.

Coun. COFFEY offered the following:

Whereas, The General Court of Massachusetts is now considering a bill, which if passed by said Honorable Body, shall limit the citizens of Boston as to what type of nine-man City Council shall govern Boston; therefore be it

Ordered, That the Boston City Council in meeting assembled do hereby, in the interest of Democracy and Freedom of Choice for the citizens of Boston, request his Honor the Mayor to instruct the Corporation Counsel to prepare an amendment to the present bill pending before the Legislature

which shall also include a choice for a twenty-two-man Council as well as a nine-man Council.

Passed under suspension of the rules.

SALIVA TEST, SUFFOLK DOWNS HORSES.

Coun. COFFEY offered the following:

Ordered, That His Excellency the Governor be requested through His Honor the Mayor to consider the advisability of having the horses which finish first, second and third at Suffolk Downs, subjected to a saliva test.

Passed under suspension of the rules.

APPROPRIATION FOR SURVEY OF CITY DEPARTMENTS.

Coun. MUCHNICK offered the following:

Ordered, That the sum of two hundred thousand (200,000) dollars be appropriated by his Honor the Mayor to engage the services of a firm of competent industrial engineers to conduct a scientific survey of all city departments in order to eliminate whatever waste and inefficiency that may be found to exist, said survey to be under the supervision and control of the City Auditor.

Referred to Executive Committee.

RECESS.

On motion of Councilor Coffey the Council voted at 4.30 p. m. to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 7.08 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred May 26) for increased appropriation of \$37,051.28 for Printing Department, Permanent Employees—that same ought to pass.

The report was accepted, and the order was passed, yeas 14, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Hannon, Hurley, Keenan, Kelly, Lane, Linehan, McCormack, Russo, Sullivan—14.
Nays—0.

2. Report on message of Mayor and order (referred May 26) that \$7,000 be appropriated from Phillips Street Fund Income to be expended by Art Commission for purpose of improving statues, monuments and tablets in streets and public places of city—that same ought to pass.

The report was accepted, and the order was passed, yeas 14, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Hannon, Hurley, Keenan, Kelly, Lane, Linehan, McCormack, Russo, Sullivan—14.
Nays—0.

3. Report on message of Mayor and order (referred today) for appropriation of \$10,000 for care of graves of soldiers, sailors and marines—that same ought to pass.

The report was accepted, and the order was passed, yeas 14, nays 0:

Yeas—Councilors Bayley, Bryant, Cantwell, Carey, Chase, Hannon, Hurley, Keenan, Kelly, Lane, Linehan, McCormack, Russo, Sullivan—14.
Nays—0.

4. Report on message of Mayor and orders (referred today) for transfers of appropriations—that same ought to pass.

The report was accepted, and the question came on the passage of the orders. Councilor Hannon moved reference back to the Executive Committee. Lost. The orders were passed, yeas 14, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Hannon, Hurley, Keenan, Kelly, Lane, Linehan, McCormack, Russo, Sullivan—14.
Nays—0.

5. Report on order (referred today) that Corporation Counsel take necessary steps to set aside bill providing for elimination of printing of minutes of City Council—that same ought to pass.

The report was accepted, and the order was passed.

6. Report on communication from the City Clerk re bill forbidding publication of City Council debates (referred today) — that same be placed on file.

The report was accepted, and the communication was placed on file.

NOTIFICATION OF COUNCIL OF BILLS AFFECTING CITY.

Coun. KEENAN offered the following:

Ordered, That the Corporation Counsel and Legislative Agent of the Law Department be requested, through his Honor the Mayor, to properly notify the members of the Boston City Council, in writing, in regard to all bills pending in the Legislature which pertain to the City of Boston, in order that the Council members may have an opportunity to appear before the proper legislative committees when same are being considered.

Passed under suspension of the rules.

REPORT OF CITY COUNCIL DEBATE.

Coun. RUSSO offered the following:

Ordered, That until such time as other steps may be taken, the official stenographer take and transcribe notes of debate at the City Council and furnish the City Clerk with two copies of said debate, said Clerk to keep such debate in the permanent files of his office, to be open for public inspection.

Passed under suspension of the rules.

"SLOW" SIGNS, PARK VALE AVENUE, WARD 21.

Coun. LANE offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to place "Slow" signs at each end of Park Vale avenue, Ward 21.

Passed under suspension of the rules.

Adjourned, on motion of Councilor Russo, at 7.33 p. m., to meet on Monday, June 9, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 9, 1947.

Regular meeting of the City Council held in the Council Chamber at 2 p. m., Councilor LANE, Senior Member, presiding. Absent, Councilor Carey.

The meeting was opened with the salute to the Flag.

AMENDMENT OF COMPENSATION AND CLASSIFICATION PLANS.

The following was received:

City of Boston,
Office of the Mayor, June 9, 1947.

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,
JAMES M. CURLEY, Mayor.

City of Boston,
Budget Department, June 9, 1947.

To the Mayor and City Council.

Honorable dear Sirs,—In accordance with the provisions of Rule 3 of the "Rules for the Administration of Classification and Compensation Plans for the Employees of Suffolk County," the Register of Deeds has forwarded the attached request for the establishment of the classifications "Supervisor of Photo Recording Department" and "Photo Recording Operator" in his office.

After an investigation of the actual and proposed duties and responsibilities of these positions, I hereby recommend that the following new classifications be established.

Title of Class: Supervisor of Photo Recording Department.

Duties: Under general direction, to supervise the work of the photo recording operators; to examine and keep a record of production, and to give further instruction when needed; to make minor machine adjustments when necessary, and to perform other related work.

Range of Compensation: Annual, \$2,600, \$2,700, \$2,800, \$2,900, \$3,000, \$3,100, \$3,200, \$3,300, \$3,400.

Title of Class: Photo Recording Operator.

Duties: Under general direction, to handle the controls of a photo recording machine; to provide for the continuous operation and to exercise judgment in the timing of the exposure and the development of the photo copies; to arrange and assign documents so that record copies are made in proper order, and to perform other related work.

Range of Compensation: Annual, \$2,300, \$2,400, \$2,500, \$2,600, \$2,700, \$2,800, \$2,900, \$3,000.

Very truly yours,

FRANK L. SOUZA,
Acting Budget Commissioner.

Ordered, That the Compensation and Classification Plans for the Officers and Employees of Suffolk County, as amended, be, and hereby are, further amended, by inserting the following new classifications:

Title of Class: Supervisor of Photo Recording Department.

Duties: Under general direction, to supervise the work of the photo recording operators; to examine and keep a record of production, and to give further instruction when needed; to make minor machine adjustments when necessary, and to perform other related work.

Range of Compensation: Annual, \$2,600, \$2,700, \$2,800, \$2,900, \$3,000, \$3,100, \$3,200, \$3,300, \$3,400.

Title of Class: Photo Recording Operator.

Duties: Under general direction, to handle the controls of a photo recording machine; to provide for the continuous operation and to exercise judgment

in the timing of the exposure and the development of the photo copies; to arrange and assign documents so that record copies are made in proper order, and to perform other related work.

Range of Compensation: Annual, \$2,300, \$2,400, \$2,500, \$2,600, \$2,700, \$2,800, \$2,900, \$3,000.

Suffolk County,
Registry of Deeds, May 29, 1947.

Mr. John A. Sullivan,

Budget Commissioner.

Dear Sir,—I respectfully request your approval to amend the County Classification Plan in the office of the Registry of Deeds to include one (1) Supervisor of Photo Recording Department and four (4) Photo Recording Operators.

I have purchased photocopying machines from the Haloid Company to bring this office up to date in the copying of instruments recorded in this office and it is very essential that these positions be created for the proper functioning of this office.

The Haloid Company, at their own expense, have trained the gentlemen who will perform this work together with the supervisor who has had special training and they are qualified at this time to carry out their assignments on these machines. I have taken these men from a piece work copyist basis in this office and have placed them on the machines which means a promotion for them.

Four (4) Photo Recording Operators.

Duties: Under general direction, to handle the controls of a photo recording machine; to provide for the continuous operation and to exercise judgment in the timing of the exposure and the development of the photo copies; to arrange and assign documents so that record copies are made in proper order, and to perform other related work.

Range of Compensation: \$2,300, \$2,400, \$2,500, \$2,600, \$2,700, \$2,800, \$2,900, \$3,000.

One (1) Supervisor of Photo Recording Department.

Duties: Under general direction, to supervise the work of the photo recording operators; to examine and keep a record of production and to give further instruction when needed; to make minor machine adjustments when necessary, and to perform other related work.

Range of Compensation: \$2,600, \$2,700, \$2,800, \$2,900, \$3,000, \$3,100, \$3,200, \$3,300, \$3,400.

As I have stated all of the above-mentioned gentlemen have received a thorough training by men assigned by the Haloid Company for this purpose. I therefore believe that they are qualified to perform this work and should be classified as regular employees and designated in the County Classification as "Photo Recording Operators" and "Supervisor of Photo Recording Department."

Very respectfully yours,

LEO J. SULLIVAN,
Register of Deeds.

Referred to Committee on County Accounts.

INCREASED APPROPRIATION, PRINTING DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, June 9, 1947.

To the City Council.

Gentlemen,—I have been advised by the Budget Commissioner that it will be necessary to increase the appropriation of the Printing Department by the sum of \$43,889.12 for permanent employees, to comply with the scale of wages retroactive to March 1, 1947, negotiated with the Closed Shop Employing Printers of the Graphic Arts Institute of Massachusetts and the Allied Printing Trades Unions for employees who are members of the Affiliated Crafts in the printing industry employed by the City of Boston Printing Department.

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

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1947, an additional sum of forty-three thousand eight hundred eighty-nine dollars and twelve cents (\$43,889.12) be, and the same hereby is, appropriated from the income of

the Printing Department. Any excess of expenditures over income shall be met by taxes.

PRINTING DEPARTMENT.

A-1. Permanent Employees..... \$43,889 12

Referred to Executive Committee.

RESCISSION OF APPROPRIATION OF JUNE 2 FOR PRINTING DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, June 9, 1947.
To the City Council.

Gentlemen,—On May 26, 1947, I submitted to your Honorable Body an appropriation order in the amount of \$37,051.28 for permanent employees in the Printing Department. On June 2, passage was given this order and on June 3, the said order was approved by me. Incidentally, the order called for the appropriation of the sum noted from taxes.

I am now informed that it will be unnecessary to appropriate this sum of money from taxes in view of the fact that there is sufficient money in the revenue account of the Printing Department which can be appropriated for the purpose desired. Consequently, I submit herewith an order rescinding the appropriation order for \$37,051.28 for the Printing Department, and respectfully request passage of this rescinding order by your Body. By separate message, I am this day submitting an appropriation order from the revenue account of the Printing Department.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the appropriation order submitted by the Mayor on May 26, 1947, passed by the City Council on June 2, 1947, and approved by the Mayor on June 3, 1947, in the sum of \$37,051.28 for the Printing Department, be, and hereby is, rescinded.

Referred to Executive Committee.

SUPPLEMENTARY BUDGET APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, June 9, 1947.
To the City Council.

Gentlemen,—I submit herewith supplementary budget recommendations totaling \$34,717.18 for the following purposes:

CITY MAINTENANCE.	
Assessing Department.....	\$4,000 00
COUNTY MAINTENANCE	
Superior Criminal Court.....	7,700 00
Registry of Deeds.....	23,017 18
Total.....	<u>\$34,717 18</u>

A brief explanation of these appropriations is given below.

Assessing Department, \$4,000. This appropriation is necessary for office supplies, due to the increased cost of same.

Superior Criminal Court, \$7,700. This appropriation is necessary due to the increase in business, and the increase in stenographers' fees from 15 cents per page to 25 cents per page, and the cost of blueprints and photographs made during a murder trial in March.

Registry of Deeds, \$23,017.18. This appropriation is for permanent employees—two assistant registrars created by Act of the Legislature under chapter 352, Acts of 1947, and an increase in personnel in the Photo Recording Department.

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

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the respective sums of money specified in the schedules hereinafter set out be, and hereby are, appropriated for the purposes

hereinafter specified, said sums to be raised by taxation on the polls and estates in the City of Boston, and that all orders heretofore or hereafter passed by the City Council relating to appropriations, taxes and the interest thereon, apply to the appropriations and taxes herein provided for.

CITY MAINTENANCE.

Assessing Department.	
D. Supplies.....	\$4,000 00
1. Office.....	\$4,000 00

COUNTY MAINTENANCE.

Superior Criminal Court.	
B. Contractual Services.....	\$7,700 00
29. Stenographic and copying.....	\$7,500 00
37. Photographic and blueprinting..	200 00

Registry of Deeds.

A. Personal Service.....	\$23,017 18
1. Permanent employees.....	\$23,017 18

RECAPITULATION.

City Maintenance.....	\$4,000 00
County Maintenance.....	30,717 18
	<u>\$34,717 18</u>

Referred to Executive Committee.

APPROPRIATION FOR VETERANS' DISCHARGES AND MORTGAGE PAPERS.

The following was received:

City of Boston,
Office of the Mayor, June 9, 1947.
To the City Council.

Gentlemen,—I have been advised by the Budget Commissioner that it will be necessary to increase the appropriation of the City Clerk by the sum of \$5,000 for recording and binding of veterans' discharges and mortgage papers.

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

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
City Clerk Department, June 6, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—In compliance with my request, a special appropriation of \$10,000 for recording and binding of veterans' discharges and mortgage papers, etc., was submitted by you to the City Council and approved on January 14, 1947.

It is now apparent that \$10,000 will not be sufficient to continue the recording and copying of these papers at the present rate of receipt. For the first five months of this year the number of papers received for recording or copying is at a rate of 23 per cent greater than 1946, which year was the busiest year in the history of the department.

I therefore respectfully request an additional appropriation of \$5,000 be provided for the purpose outlined above.

Respectfully,
JOHN B. HYNES,
City Clerk.

Ordered, That the respective sum of money specified in the schedule hereinafter set out be, and hereby is, appropriated for the purposes hereinafter specified, said sum to be raised by taxation on the polls and estates in the City of Boston, and that all orders heretofore or hereafter passed by the City Council relating to appropriations, taxes and the interest thereon, apply to the appropriations and taxes herein provided for.

CITY MAINTENANCE.

City Clerk.	
Recording and binding of veterans' discharges and mortgage papers.....	\$5,000

Referred to Executive Committee.

ACTION ON APPROPRIATION ORDERS.

The following was received:

City of Boston,
Office of the Mayor, June 9, 1947.
To the City Council.

Gentlemen,—I most respectfully request your Honorable Body to act, at today's meeting, on appropriation orders submitted by me on April 28, for the Boston Housing Authority; June 2, for the Fire Department, and on the several appropriation orders submitted by me on this day.

In view of the fact that the tax rate will be declared within several days, and in view of the fact that no appropriations from taxes can be made after the declaration of the rate, it is extremely important that appropriations pending before your Body, together with those submitted today, be given final action at today's meeting. Failure to take such action may well have a distressing effect on the operations of the departments concerned.

May I, at this time, also respectfully request action by your Honorable Body on the several loan orders submitted by me on April 28, 1947.

Respectfully,
JAMES M. CURLEY Mayor.

Referred to Executive Committee.

Coun. HANNON in the chair.

PETITIONS REFERRED.

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

Claims.

Eleanor P. Cox, for compensation for injuries caused by an alleged defect in Croftland road.

Max Cutler, for refund on lodging house license.

Mary H. DeCoste, for compensation for injuries caused by an alleged defect at Congress and State streets.

Timothy D. Donahue, to be reimbursed for executions issued against him.

Joseph J. Fay, for compensation for injuries and damage to car caused by car of Police Department.

Louis Garber & Co., for compensation for damage to property at 659 Warren street, caused by water entering premises.

Louis Giarla, for compensation for damage to clothing by city vehicle.

Mary J. Haggerty, for compensation for collapse of water boiler at 60 Ainsworth street, Roslindale, during installation of hydrant.

Ettore P. Lentini, for compensation for damage to car by fire truck.

Urbano and Louisa Mazzotti, for compensation for damage to property at 522 Dudley street, caused by fire apparatus.

Mrs. J. Pilkhun, for compensation for injuries caused by an alleged defect at 64 Belden street.

Abbie M. Punch, for compensation for damage to hot water tank at 62 Ainsworth street, during hydrant installation.

Louis C. Renfro, for compensation for damage to property at 45 Green street, Charlestown, by fire apparatus.

I. I. Schell, for compensation for damage to car caused by an alleged defect in Commonwealth avenue.

Ralph E. Stephens, for compensation for damage to car by fire truck.

John Swierk, for compensation for injuries caused by an alleged defect in Rawson street.

Thomas Torcivia, refund on pedler's license.
Mrs. John Verzi, for compensation for damage to car by city truck.

Fred P. Coppola, for compensation for damage to car caused by city ash truck.

George Fitzgerald, for compensation for loss of clothing at City Hospital.

Mrs. S. Kowalski, for compensation for damage to property at 30 Chelmsford street, Dorchester, caused by leak in water pipe.

Executive.

Petition of Cecilia N. Slack to be paid annuity on account of death of her husband, Hersey D. Slack, late member of the Police Department.

PERMITS FOR CHILDREN.

Petitions for children under 15 years of age to appear at places of public amusement were received as follows:

Doris Dandridge, Recital Hall, June 22.
Palmyra DaCamara, Recital Hall, June 14.
Lillian A. Chiampa, East Boston High School, June 16.

Rose E. Sidman, Jordan Hall, June 19.
Leopold DeCordova, Recital Hall, June 19.

Permits granted, under usual conditions.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of the following, having been duly approved by the City Treasurer, were received and approved by the Council:
William G. Campbell, Angelo M. Russo, Henry Ward, Morris Youman.

COMMUNITY PROPERTY TAX BILL.

Coun. KEENAN offered the following:
Resolved, That the Boston City Council, in meeting assembled, hereby favors the enactment of the so-called "Community Property Tax Bill," now pending in the Massachusetts Legislature, which will represent a saving of approximately \$100,000,000 to residents of the Commonwealth.
Passed under suspension of the rules.

REMOVAL OF TREE, DORCHESTER.

Coun. HANNON offered the following:
Ordered, That his Honor the Mayor be requested to direct the Park Commissioner to remove the dangerous tree in the sidewalk on the Magnolia street side of 5 Wayland street, Dorchester.
Passed under suspension of the rules.

CLEANING OF SAVIN HILL BEACH.

Coun. HANNON offered the following:
Ordered, That his Honor the Mayor be requested to direct the Park Commissioner to clean up Savin Hill Beach for the opening of the bathing season.
Passed under suspension of the rules.

APPRECIATION OF FIRST AID STATION, LOGAN AIRPORT.

Coun. COFFEY offered the following:
Resolved, That the Boston City Council in meeting assembled tender its thanks and appreciation to the State Department of Public Works for complying with an order passed some weeks back requesting that a First Aid Airway Station be located at Logan Airport.
Passed under suspension of the rules.

RECESS.

The Council voted at 2.22 p. m., on motion of Councilor Keenan, to take a recess, subject to the call of the Chair. The members reassembled and were called to order by Chairman Hannon at 3.14 p. m.

REPORT OF FINANCE COMMITTEE.

Coun. McCORMACK, for the Finance Committee, submitted the following:

1. Report on message of Mayor and order (referred April 28) for loan of \$2,000,000, to be expended under direction of Commissioner of Public Works, for construction of public ways or permanent pavement—that same ought to pass.

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

Yeas—Councilors Bryan, Cantwell, Coffey, Cook, Fish, Hannon, Hurley, Kinsella, Lane, Linehan, McCormack, Muchnick, Russo—13.

Nays—Councilors Chase, Scannell—2.
Present—Councilors Madden, Sullivan—2.

Councilor Muchnick moved reconsideration. Councilor Sullivan moved reduction of the \$2,000,000 to \$1,250,000, and the question came on the adoption of the amendment. The motion was lost. Councilor Chase moved that it be reduced to \$1,000,000. The motion was lost. The question came on the passage of the order for \$2,000,000, and the order was rejected, yeas 14, nays 3:

Yeas—Councilors Bryan, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo—14.

Nays—Councilors Chase, Madden, Sullivan—3.

2. Report on message of Mayor and order (referred April 28) for loan of \$1,000,000, to be expended under direction of Commissioner of Public Works, for construction of sewers for sanitary and surface drainage purposes and for sewer disposal—that same ought to pass.

The report was accepted, and the question came on the passage of the order. Councilor Sullivan moved that the loan be reduced to \$356,000, and the motion was lost, yeas 3, nays 12:

Yeas—Councilors Madden, Scannell, Sullivan—3.

Nays—Councilors Bryan, Cantwell, Coffey, Fish, Hannon, Hurley, Keenan, Lane, Linehan, Moriarty, Muchnick, Russo—12.

Councilor Sullivan moved reconsideration, and reconsideration prevailed. The question came on the reduction of the loan order from \$1,000,000 to \$356,000, and the motion was rejected, yeas 2, nays 6. The question came on the passage of the order for \$1,000,000 for sewerage works, and the order was passed, yeas 15, nays 2:

Yeas—Councilor Bryan, Cantwell, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo—15.

Nays—Councilors Scannell, Sullivan—2.

The order will take its second reading and passage in not less than 14 days.

Later in the session Councilor Sullivan moved reconsideration of the loan order for \$1,000,000 for sewerage works. The motion to reconsider was declared lost, and Councilor Sullivan asked for a roll call. Reconsideration was lost, yeas 5, nays 11:

Yeas—Councilors Bayley, Chase, Linehan, Scannell, Sullivan—5.

Nays—Councilors Bryan, Cantwell, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, McCormack, Moriarty—11.

3. Report on message of the Mayor and order (referred April 28) for loan of \$2,000,000, to be expended by various departmental officials under direction of Mayor, for costs of additional departmental equipment—that same ought to pass.

The report was accepted, and the question came on the passage of the loan order for \$2,000,000.

Councilor Sullivan moved reduction of the loan order from \$2,000,000 to \$1,420,000, and the motion was declared carried. Councilor Coffey doubted the vote and asked for a roll call. The motion to reduce the amount to \$1,420,000 was carried, yeas 10, nays 9:

Yeas—Councilor Bayley, Chase, Cook, Keenan, Linehan, Moriarty, Muchnick, Russo, Scannell, Sullivan—10.

Nays—Councilors Bryan, Coffey, Fish, Hannon, Hurley, Kelly, Kinsella, Lane, McCormack—9.

Present—Councilor Cantwell—1.

The loan order for \$1,420,000 for departmental equipment was passed, yeas 18, nays 1:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—18.

Nays—Councilor Coffey—1.

(Councilors Bayley, Chase and Hurley first voted "Present" and then changed their vote to "Yes.")

The order will take its second reading and passage in not less than 14 days.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred June 2) transferring fire station and wharf located at 120 Lewis street, East Boston, from Fire Department to Public Works Department—that same ought to pass.

The report was accepted, and the order was passed.

2. Report on message of Mayor and order (referred today) appropriating \$43,889.12 from income of Printing Department to meet current expenses, A-1, Permanent Employees—that same ought to pass.

The report was accepted, and the order was passed, yeas 20, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—20.

Nays—0.

3. Report on message of Mayor and order (referred today) asking rescission of order submitted May 26 and passed June 2 for appropriation of \$37,051.28 for Printing Department—that same ought to pass.

The report was accepted, and the order was passed, yeas 18, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo, Sullivan—18.

Nays—0.

4. Report on message of Mayor and order (referred today) appropriating \$5,000 for City Clerk, Recording and Binding of Veterans' Discharges and Mortgage Papers—that same ought to pass.

The report was accepted, and the order was passed, yeas 18, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo, Sullivan—18.

Nays—0.

5. Report on message of Mayor and orders (referred today) for supplementary budget appropriations of \$34,717.18—that same ought to pass.

The report was accepted, and the orders were passed, yeas 18, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo, Sullivan—18.

Nays—0.

6. Report on message of Mayor and order (referred June 2) appropriating \$49,500 for Fire Department, Equipment, Supplies and Materials—that same ought to pass.

The report was accepted, and the order was passed, yeas 16, nays 2:

Yeas—Councilors Bayley, Bryan, Cantwell, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kinsella, Lane, McCormack, Moriarty, Russo, Scannell, Sullivan—16.

Nays—Councilors Chase, Linehan—2.

(Councilors Bayley and Chase first voted "Present," and Councilor Bayley changed his vote to "Yes" and Councilor Chase changed his vote to "No.")

7. Report on message of Mayor and communication (referred June 2) concerning proper exits from rear of grandstand, Boston American League Baseball Company—that same be placed on file.

The report was accepted, and the message and communication placed on file.

8. Report on message of Mayor (referred today) requesting action by Council on appropriation orders submitted April 29 for Boston Housing Authority and June 2 for Fire Department, and on appropriation orders submitted today—that same be placed on file.

The report was accepted, and the message was placed on file.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment (referred June 2) of Samuel Tarle as Constable for term ending April 30,

THE NEXT MEETING.

On motion of Councilor Kinsella, the Council voted that when it adjourn it be to meet on Monday, June 23, 1947, at 2 p. m.

1948, authorized to serve civil process upon filing of bond—that appointment be confirmed.

The report was accepted, and the question came on confirmation. Committee, Councilors Lane and Coffey. Whole number of ballots 17, yeas 15, nays 2, and the appointment was confirmed.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. BRYAN, for the Committee on County Accounts, submitted the following:

Report on message of Mayor and order for amendment of Compensation and Classification Plans (referred today)—that same ought to pass.

The report was accepted, and the order was passed.

\$2,000,000 FOR CONSTRUCTION OF PUBLIC WAYS OR PERMANENT PAVEMENT.

Coun. CANTWELL offered the following:

Ordered, That under the provisions of clause 5 of section 7 of chapter 44 of the General Laws, and under the provisions of chapter 393 of the Acts of 1906, the sum of \$2,000,000 be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works, for the construction of public ways or permanent pavement, and that, to meet said appropriation, the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On motion of Councilor Cantwell, the rules were suspended, and the question came on giving the loan order its first reading and passage. Councilor Sullivan moved reference to the Committee on Finance. The motion was lost. The order was given its first reading and passage, yeas 15, nays 4:

Yeas—Councilors Bryan, Cantwell, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo—15.

Nays—Councilors Bayley, Chase, Scannell, Sullivan—4.

Councilor Sullivan moved reconsideration for the purpose of reducing the amount to \$1,250,000. Reconsideration was declared lost. Councilor Sullivan doubted the vote and asked for a roll call. Reconsideration was lost, yeas 5, nays 13:

Yeas—Councilors Bayley, Cbase, Linehan, Scannell, Sullivan—5.

Nays—Councilors Bryan, Cantwell, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kinsella, Lane, McCormack, Moriarty, Russo—13.

The order will take its second reading and passage in not less than 14 days.

CLOSING OF CERTAIN STREETS FOR BICYCLE RACE.

Coun. BAYLEY offered the following:

Ordered, That the Traffic Commission take the necessary steps to comply with the request of the attached letter of the Amateur Bicycle League of America with regard to the closing of certain streets to traffic on July 6 for the Massachusetts State Bicycle Championship.

Passed under suspension of the rules.

5 Davenport Street,
North Cambridge, Mass.

The Amateur Bicycle League of America.

June 5, 1947.

MR. JAMES C. BAYLEY, JR., Hotel Vendome,
160 Commonwealth Avenue, Boston, Mass.

Dear Mr. Bayley,—This is a request to you and the Boston City Council for the use of certain streets in the Fenway for the Massachusetts State Bicycle Championships on July 6, 1947. These streets would have to be closed to traffic during

the races for the safety of the contestants. The following is the course we propose to use: From the Art Museum along the Fenway, to Agassiz Road, to Park Drive, to Higginson Circle, and back onto the Fenway to the Art Museum, left turns all the way around. This makes about a 1 mile circuit.

There are several races on this program which is sponsored by the Amateur Bicycle League of America of which I am the Massachusetts Representative. The winners receive the title of Massachusetts State Champion and a trip to the National Championships to be held this year in Philadelphia. Three classes of riders are eligible to compete, the Senior Men (over 17 years), the Junior Boys (under 17 years), and the Girls. The Seniors must compete in four races over the distances of 1, 5, 10 and 25 miles while the Juniors and Girls must each go 1, 3, and 5 miles. All this will take place on July 6, 1947, starting at 9 a. m. I estimate that it will take about four hours to complete the program. With the proper publicity this could become quite an attraction and I, for one, would like to see a good crowd of spectators on hand.

Mr. Walter Yetman referred me to you saying that he had spoken to you some time ago about this location. He and I both feel that this is the best spot in Greater Boston for this event which for the past few years has taken place in Worcester. I think Mr. Yetman can give you any information that I have neglected since his son is the present Massachusetts Champion and well informed as to what is going on or you may write me at the above address. Thank you very much.

Sincerely,
ELMER W. KERNS,
Mass. Rep. A.B.L.A.

The order was passed under suspension of the rules.

Coun. BRYAN in the Chair.

LOAN FOR VETERANS' HOUSING.

The following was received:

City of Boston,
Office of the Mayor, June 9, 1947.

To the City Council.

Gentlemen,—Under the provisions of chapter 479 of the Acts of 1947, the authority granted to cities and towns in chapter 372 of the Acts of 1946 to construct single or two-family residences for veterans of World War II has been extended so as to permit the construction of multi-family residences. In the light of this extension, it would appear desirable for the city to take the necessary steps to proceed with the construction of multi-family residences on the parcels of land in the South End and South Boston sections of the city originally taken by the Federal Government for housing purposes but on which no construction has actually proceeded to date. These locations have long been an eyesore and since the Boston Housing Authority has available plans and specifications for the multi-family construction originally contemplated, it will be possible to proceed without delay in making housing accommodations available for a large number of veterans. I accordingly submit herewith an appropriation order providing for an initial authorization of eight million dollars to be utilized in abating the acute shortage of housing facilities for veterans which now exists. I recommend immediate consideration and prompt adoption of the order as submitted.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under the provisions of section 10 of chapter 372 of the Acts of 1946 as amended by section 6 of chapter 479 of the Acts of 1947, the sum of eight million dollars be, and the same hereby is, appropriated to meet expenses necessary in providing housing for veterans of World War II, and that the City Treasurer be, and hereby is, authorized to issue from time to time, upon request of the Mayor, bonds, notes or certificates of indebtedness of the City of Boston to said amount.

Referred to the Committee on Finance.

**INSPECTION OF CONTRACTS OVER \$1,000
BY CITY AUDITOR.**

Coun. CHASE offered the following:

Resolved, That the Boston City Council, in regular meeting assembled, records itself as in favor of the City Auditor carefully inspecting all contracts over \$1,000 awarded without competitive bidding and holding up payment of same where it appears that it would be for the best interests of the city to have had these contracts advertised on a competitive bid basis; also where it appears that the item purchased is unnecessary.

Coun. HURLEY doubted the presence of a quorum. The roll was called, and the following members responded:

Present—Councilors Bayley, Bryan, Cantwell, Chase, Hannon, Hurley, Lane, Linehan, McCormack, Russo, Scannell—11.

Adjourned, for lack of a quorum, at 5.30 p. m., to meet on Monday, June 23, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Friday, June 13, 1947.

Special meeting of the City Council held in the Council Chamber, City Hall, at 1 p. m., Councillor LANE, Senior Member, presiding.

The meeting was opened with the salute to the Flag.

CALL FOR SPECIAL MEETING.

The Clerk read the following call:

City of Boston,
Office of the Mayor, June 11, 1947.
City Council, City Hall,
Boston, Mass.

Gentlemen—You are hereby requested to assemble in the City Council Chamber, City Hall, on Friday, June 13, 1947, at one o'clock p. m., for the purpose of taking action on an additional appropriation for the Public Welfare Department, and to take action on such other business now pending, or which may come before your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

ABATEMENT OF HEALTH NUISANCES.

The following was received:

City of Boston,
Office of the Mayor, June 13, 1947.
To the City Council.

Gentlemen,—Under the provisions of section 125 of chapter 111 of the General Laws, the Health Department is authorized, in the event an owner or occupant of property fails, after due notice, to remove or remedy "a nuisance, source of filth or cause of sickness," to proceed with the removal of the same, and subsequently to initiate action to recover all expenses incurred from the persons who caused or permitted the nuisance, etc., to exist. I am in receipt of the following communication from the Health Commissioner in which it is requested that an appropriation of \$2,500 be made available to permit the Health Department to carry out the intent of the statute previously mentioned. In view of the fact that it is uncertain at the present time what expense it may be necessary for the Health Department to incur in this respect, I feel that instead of granting an appropriation which will have to be raised within the tax levy, it would be better to authorize the expenditure of whatever sums may be necessary from the Contingent Fund. I therefore submit an order authorizing the expenditure of the amount requested by the Health Commissioner from the Contingent Fund. I respectfully recommend its adoption by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Health Department, June 5, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—It is respectfully requested that there be established in the budget, for the use of the Boston Health Department, an amount of money, not in excess of \$2,500, in order that the Health Department may carry out the intent of section 125, chapter 111 of the General Laws of the Commonwealth of Massachusetts, whereby the Health Department may cause "a nuisance, source of filth, or cause of sickness" to be remedied, and all expense thereby incurred paid by the person who caused or committed the same after he has been informed by the Health Department of the expense thereof.

If these funds were available, it is my belief that the Health Department could cause to be remedied, conditions which are endangering public

health, provided the owner of the premises, having been notified of the expense, fails to comply with the order of the Health Department to remedy the same.

Should it be necessary, at times, to make expenditures from these funds, provision shall be made to ultimately place a lien upon the owners of the premises in order that the city may be reimbursed for any money which may be spent from such appropriation.

Respectfully yours,
JOHN H. CAULEY, M. D., M. P. H.,
Health Commissioner.

Ordered, That the Health Commissioner be authorized to expend an amount not in excess of twenty-five hundred dollars for the abatement or relief of health nuisances, said expenditures to be charged to the Contingent Fund.

Referred to Executive Committee.

ADDITIONAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, June 12, 1947.
To the City Council.
Gentlemen,—I am in receipt of communications from the Public Welfare Department, Department of Veterans' Services, and the Commission for the Care, Custody and Control of the Suffolk County Court House, in which they request additional appropriations in their individual departments. I attach, herewith, the communications to the amount of \$640,780.33 for the following purposes:

CITY MAINTENANCE.

Public Welfare Department:	
Central Office.....	\$375,000 00
Wayfarers' Lodge.....	4,500 00
Temporary Home.....	7,900 00
Department of Veterans' Services....	250,000 00

COUNTY MAINTENANCE.

Suffolk County Court House, Custodian,	3,380 33
Total.....	<u>\$640,780 33</u>

I respectfully recommend the adoption of the accompanying order by your Honorable Body, and request that you take action on these additional appropriations at today's meeting in order that they may be included in the 1947 tax rate which will be declared shortly.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the respective sums of money specified in the schedules hereinafter set out be, and hereby are, appropriated for the purposes hereinafter specified, said sums to be raised by taxation on the polls and estates in the City of Boston, and that all orders heretofore or hereafter passed by the City Council relating to appropriations, taxes and the interest thereon, apply to the appropriations and taxes herein provided for.

CITY MAINTENANCE.

PUBLIC WELFARE DEPARTMENT.	
Central Office.	
B. Contractual Services.....	\$25,000
39. General Repairs.....	\$25,000
F. Special Items.....	350,000
9. Dependent Aid.....	\$225,000
10. Aid to Dependent Children.....	125,000
	<u>\$375,000</u>

Wayfarers' Lodge.	
B. Contractual Services.....	\$2,500
39. General Repairs.....	\$2,500
C. Equipment.....	2,000
7. Furniture and Furnishings.....	\$2,000
	<u>\$4,500</u>

Temporary Home.		
A. Personal Service.....		\$3,900
1. Permanent Employees..	\$1,400	
2. Temporary Employees..	2,500	
B. Contractual Services.....		2,000
39. General Repairs.....	\$2,000	
C. Equipment.....		2,000
7. Furniture and Furnishings.....	\$1,000	
16. Wearing Apparel.....	1,000	
		<u>\$7,900</u>

DEPARTMENT OF VETERANS' SERVICES.

F. Special Items.....		\$250,000
S. State and Military Aid, Soldiers' Relief and Burials.....		\$250,000

COUNTY MAINTENANCE.

SUFFOLK COUNTY COURT HOUSE, CUSTODIAN.

B. Contractual Services.....		\$2,066 50
5. Express Charges.....	\$200 00	
39. General Repairs.....	1,866 50	
C. Equipment.....		359 19
3. Electrical.....	\$42 76	
7. Furniture and Furnishings.....	231 00	
13. Tools and Instruments..	85 43	
E. Materials.....		954 64
1. Building.....	\$210 00	
10. Electrical.....	744 64	
		<u>\$3,380 33</u>

City of Boston,
 Overseers of Public Welfare, June 10, 1947.
 Hon. James M. Curley,
 Mayor of Boston.
 Request for Additional Appropriation, Central Office.

Dear Sir,—At a meeting of the Board of Overseers held on Monday, June 9, 1947, it was voted to request an additional appropriation in the Central Office budget of this department amounting to \$375,000 in the following items:

F-9. General Relief.....	\$225,000
F-10. Aid to Dependent Children.....	\$125,000

An analysis of our expenditures indicates that these amounts will be needed to provide assistance payments for the balance of the year.

B-39. General Plant.....\$25,000
 The original appropriation for this item was \$12,240 which will not be sufficient to make the necessary repairs to the department offices. The condition of several of the offices is such that this appropriation is imperative in order to prevent serious deterioration.

Respectfully,
 LOUIS P. LEONARD, Chairman.

City of Boston,
 Overseers of Public Welfare, June 10, 1947.
 Hon. James M. Curley,
 Mayor of Boston.

Request for Additional Appropriation, Wayfarers' Lodge.

Dear Sir,—At a meeting of the Board of Overseers held on Monday, June 9, 1947, it was voted to request an additional appropriation in the Wayfarers' Lodge budget of this department amounting to \$4,500 in the following items:

C-7. Furniture and Furnishings.....\$2,000
 The number of persons housed at the Wayfarers' Lodge has increased substantially in the past year and this amount is necessary to provide the necessary furniture and furnishings to properly care for the situation.

B-39. General Plant.....\$2,500
 The present boiler at the Wayfarers' Lodge is in such condition that it will not be possible to use it to heat the Wayfarers' Lodge during the coming winter. It is intended to install an oil burner at a cost of approximately \$3,500. There is now

available in this item \$1,000, leaving \$2,500 as the additional amount necessary for the installation.

Respectfully,
 LOUIS P. LEONARD, Chairman.

City of Boston,
 Overseers of Public Welfare, June 12, 1947.
 Hon. James M. Curley,
 Mayor of Boston.

Request for Additional Appropriation, Temporary Home.

Dear Sir,—At the meeting of the Board of Overseers held on June 2, 1947, it was voted to request an additional appropriation for the Temporary Home in the amount of \$7,900 in the following budget items:

A-1. Permanent Employees.....	\$1,400
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To provide for the employment of one additional matron at \$1,400 per year which has already been approved and to provide for increases in salary to the present staff.

A-2. Temporary Employees.....	\$2,500
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To provide for the employment of the following staff for the balance of the year:

- 1 Temporary Matron at \$1,400 a year.
- 1 Temporary Laundress at \$1,400 a year.
- 1 Play Teacher at \$10 a day.

B-39. General Plant.....	\$2,000
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To provide for repairs in addition to those allowed in the budget principally repairs to the playground and to the play area on the roof of the building.

C-7. Furniture and Furnishings.....	\$1,000
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To provide for the purchase of necessary furniture and furnishings occasioned by the increase in the number of persons cared for.

C-16. Wearing Apparel.....	\$1,000
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To provide for the purchase of clothing for persons cared for at the Temporary Home. The number of persons being cared for at the present time is around seventy, of which almost fifty are children. In normal times the number of persons cared for is approximately thirty per day.

Respectfully,
 LOUIS P. LEONARD, Chairman.

City of Boston,
 Department of Veterans' Services,
 June 12, 1947.

Hon. James M. Curley,
 Mayor of Boston.
 Supplementary Appropriation for F-8, Veterans' Benefits.

Dear Sir,—I respectfully wish to inform you that the budget appropriation for Item F-8, Veterans' Benefits, will be insufficient to meet this department's obligation for the current year.

My original budget estimate for this item was \$600,000, but inasmuch as total expenditures for 1946 were \$326,418.73, an amount of \$450,000 was appropriated. This latter amount was deemed adequate for Veterans' Benefits, but it has become increasingly obvious during the past two months that a supplementary appropriation is most urgent. I therefore find it necessary to request an additional \$250,000 for Veterans' Benefits, thus making a total of \$700,000 for this item. This estimate is \$100,000 above the original estimate.

My reasons for this estimate are based on the following comparative expenditures for the first five months of 1946 and 1947:

	1946.	1947.
January.....	\$20,596 34	\$35,526 27
February.....	25,994 31	50,896 68
March.....	29,389 43	58,400 81
April.....	26,890 21	58,019 31
May.....	27,582 62	65,585 56
	<u>\$130,452 91</u>	<u>\$268,428 63</u>

The monthly case load for the above five months is as follows:

	1946.	1947.
January.....	652	854
February.....	743	934
March.....	773	1,050
April.....	746	1,107
May.....	743	1,115

This comparison shows that although the monthly case load has increased approximately 50 per cent since May, 1946, the expenditures for

these cases have increased approximately 150 per cent in the same period. It is my belief that the monthly expenditures for the remaining seven months of 1947 will average between \$60,000 and \$65,000.

In addition to the greater number of cases being aided this year and the resultant increase in the total beneficiaries of Veterans' Benefits, the chief factor for the increased expenditures is the provisions of chapter 584 of the Acts of 1946 which directs that the cities and towns of the Commonwealth shall disburse funds as specified by the Commissioner of Veterans' Services of the Commonwealth. As a result of this legislation, the budget of monthly payments for veterans and their dependents is decided by the Commonwealth and paid at their direction. These budgetary allowances were increased on January 1, 1947, and again increased effective April 1, 1947.

I herewith submit a comparison of these monthly budgets for various types of cases for the following periods:

	To Dec. 31, 1947.	From Jan. 1, 1947, to Apr. 1, 1947.	From Apr. 1, 1947.
Single Person (Rooming Out).....	\$40 00	\$62 50	\$67 00
Single Person (With Relatives).....	30 00	52 00	54 00
Veteran and Wife (Or Any Two Persons),	50 00	85 50	88 00
Children in Above Households (Eacb)...	10 00	14 00	16 00
Children Boarding Out (Eacb).....	17 00	31 50	31 50

These budgets are for vital necessities only, and do not include extra amounts which are allowed for medicines, doctor, and hospital bills, surgical equipment, shoes, extra clothing, glasses, and fuel for the winter months.

Thanking you for your cooperation in this matter, I am

Respectfully,
DAVID J. BRICKLEY, Director.

Suffolk County Court House Commission.
June 6, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mayor Curley,—Since the Suffolk County Court House budget was submitted, requests from the Register of Deeds necessitated the expenditure of funds that could not be anticipated. These items and expenditures were as follows:

- \$200 00 B-5, moving obsolete safes.
- 965 00 B-39, painting ceilings.
- 798 50 B-39, repairs to steel filing cabinets and cases.
- 103 00 B-39, for installing cash drawer.
- 42 76 C-3, 2 desk lamps.
- 231 00 C-7, D. C. water cooler.
- 85 43 C-13, material for installing new lines.
- 210 00 E-1, electrical and plumbing material for installation of photostatic machines.
- 107 32 E-10, for new ceiling lights for the copy room.
- 627 32 E-10, stock and materials necessary for running A. C. line to photostatic machines.

\$3,080 33 total.

The Commission respectfully requests that these sums be replaced from the Deficiency Fund.

The Commission has likewise received requests for equipment not anticipated in the budget as follows:

- \$200 00 C-7, for D. C. electric refrigerator for use in children's room, Juvenile Court, Judge Connelly.
- 3,600 00 B-39, 2 steel document cases for the clerk of the Municipal Criminal Court, needed this fall, it will take at least four months for delivery.
- 3,270 00 C-3, for 109 electric table lamps to replace antiquated and insufficient lighting in the Registry of Deeds.

\$7,070 00 total.

The Commission respectfully requests that these sums be provided from the Supplementary Appropriation.

The above requests have been approved by the Commission as necessary, and reported to your Honor in an interview last week, and likewise have been considered by the Auditor, Mr. Fox.

Respectfully submitted,
Court House Commission,
by ARNO I. DREW, Chairman.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Executive.

Petition of Mary F. Lyons to be paid an annuity on account of death of husband, William R. Lyons, late member of Police Department.

Committee on Licenses.

Petition of Boston Elevated Railway Company to operate motor vehicles on Dorchester avenue and Broadway to Melcher and Sumner streets.

PERMITS FOR CHILDREN.

Petition for children under 15 years of age to appear at places of public amusement, viz.: Paul Gould, Whitton Hall, June 20.

HEARING BEFORE DEPARTMENT OF PUBLIC UTILITIES.

Notice was received from the Department of Public Utilities of hearing to be held on petition of Boston & Maine Transportation Company.
Placed on file.

NAMES ON JURY LIST.

Coun. LANE offered the following:
Ordered, That the City Clerk be hereby directed to cause the names of the Jury List (City Document No. 40), when 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 rules.

REINSTATEMENT OF WALTER J. KENNEY.

Coun. HANNON offered the following:
Resolved, That the City Council of the City of Boston hereby favors the enactment of legislation for the reinstatement of Walter J. Kenney, as a policeman in the Boston Police Department, for the purpose of retirement, provided said legislation contains a referendum to the Mayor and City Council.
Passed under suspension of the rules.

CLEMENCY ASKED FOR MAYOR CURLEY.

Coun. HURLEY offered the following:
Whereas, James M. Curley has been elected Mayor of Boston on four separate occasions; and
Whereas, James M. Curley was most recently elected in November, 1945, despite the fact that he was under indictment for an alleged violation of Federal Laws; and
Whereas, James M. Curley is acknowledged to be the foremost municipal administrator in the United States, therefore be it
Resolved, That the City Council of the City of Boston, in meeting assembled, hereby expresses its opinion that James M. Curley is not guilty of any intentional wrongdoing; that he is an innocent victim of unscrupulous manipulators who traded on his position as former Governor and Mayor; that he has been forced to suffer shame and ignominy because of the actions of others; that he has already

paid a severe and sufficient penalty for his misplaced trust; and that for these reasons and others, it is the devout hope and wish of the City Council of Boston that full executive clemency be accorded to James M. Curley, if such clemency be necessary, or that judicial notice be taken of the plea of many thousands of Boston and Massachusetts citizens for a complete suspension of the outstanding sentence against an eminent public servant who seeks and asks, at the twilight of life, simple American justice from the nation he has served so well.

Councilor Bayley moved to refer to the Committee on Rules. The motion was lost, and the resolution was referred to the Executive Committee.

REGRET AT DEATH OF DAVID I. WALSH.

Couns. HURLEY and RUSSO offered the following:

Resolved, That the City Council of the City of Boston, in meeting assembled, hereby expresses its profound regret at the death of David I. Walsh, former Representative, former Lieutenant Governor, former Governor, former United States Senator, whose almost half century of service for the public is replete with instances, occasions, and acts which mark him as a great statesman, a great humanitarian, a noble, modest and humble man, whose accomplishments will forever preserve his name among those who have made the Commonwealth of Massachusetts a great State, and the United States of America the outstanding Nation of the world.

Passed by a unanimous vote.

APPROPRIATION FOR BOSTON HOUSING AUTHORITY.

Councilor Fish moved that No. 2 on the Calendar be taken from the table, viz.:

2. Order for appropriation of \$30,000 for Boston Housing Authority.

Councilor Coffey moved that the order still lie on the table, and Councilor Hannon seconded the motion. Councilor Muchnick rose to a point of order, that a matter on the table was not debatable, but that a motion to take from the table was debatable. The Chair ruled that the motion was not debatable, and the matter remained on the table.

REQUEST NOT TO CLOSE PAUL REVERE SCHOOL.

Coun. RUSSO offered the following:

Ordered, That the Boston School Committee members be requested by his Honor the Mayor not to close the Paul Revere School in the North End as contemplated, but to call a public hearing on the subject so that all interested may be heard before the decision is made to officially close this school.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Hannon the Council voted to take a recess at 1.27 p. m., subject to the call of the Chair. The members reassembled and were called to order by Chairman Lane at 3.32 p. m.

Coun. HANNON in the chair.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and orders for additional appropriations of \$640,780.33 (referred today) — that same ought to pass.

Report on message of Mayor and order (referred today) for appropriation of amount not in excess of \$2,500 for Health Department for abatement or relief of health nuisances—that same ought to pass.

The report was accepted, and the question came on the passage of the orders. Councilor Kinsella moved that when the Council vote, they vote on all items requiring simply a majority vote at one time and on the other appropriation separately. The motion was carried, and the question came first on the passage of the orders for additional appropriations of \$640,780.33.

The orders were passed, yeas 14, nays 0:

Yeas—Councilors Bayley, Bryan, Cook, Fish, Hannon, Hurley, Keenan, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo, Sullivan—14.
Nays—0.

The order for appropriation of an amount not to exceed \$2,500 for the Health Department was passed, yeas 14, nays 0:

Yeas—Councilors Bayley, Bryan, Cook, Fish, Hannon, Hurley, Keenan, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo, Sullivan—14.
Nays—0.

2. Report on resolve (referred today) asking clemency for Mayor Curley—recommending passage of the resolve in the following new draft, viz.:

Whereas, James Michael Curley has been elected Mayor of Boston on four occasions, Governor of the Commonwealth of Massachusetts, and to Congress on three separate occasions; and

Whereas, James Michael Curley was most recently elected Mayor of Boston in 1945, despite the fact that he was under indictment for an alleged violation of Federal Laws; and

Whereas, James Michael Curley is now 72 years old; therefore be it

Resolved, That the Boston City Council, in meeting assembled, petition those who have the power and authority to grant such clemency as may be necessary in order that James Michael Curley should not serve a sentence in jail.

The report was accepted, and the resolution was passed by a unanimous rising vote.

Councilor Hurley moved that a copy of the resolution be sent to Judge Proctor of the Circuit Court of Appeals and the President of the United States, and the Chair ruled that the Clerk would take notice of the proposal.

WARNING SIGNALS AT KEMP STREET AND DORCHESTER AVENUE.

Coun. LINEHAN offered the following:

Whereas, There have been many automobile accidents in the vicinity of Kemp street and Dorchester avenue as a result of the insufficient warning signs or lights located on the ends of the steel uprights of the bridge in the middle of Dorchester avenue, Ward 7; therefore be it

Ordered, That his Honor the Mayor request the proper department head to have adequate and proper warning signals, preferably red blinker lights, installed on the ends of the steel uprights on the bridge at Kemp street and Dorchester avenue, Ward 7, so that the steel uprights can be safely observed by motorists as they approach the bridge during the night.

Passed under suspension of the rules.

PLAYGROUND ON COPELAND STREET.

Coun. COOK offered the following:

Ordered, That the School Committee be requested through his Honor the Mayor, to keep the playground on Copeland street, formerly the Wing Estate, open until sundown during the summer with proper supervision.

Passed under suspension of the rules.

Adjourned at 3.39 p. m., to meet on Monday, June 23, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate in file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 23, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., Councillor LANE, Senior Member, presiding. Absent, Councillors Bryan, Carey, Chase, Kelly, Muchnick.

The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments for the term ending April 30, 1948:

Weighers of Goods: Curtis I. Baldof, 24 Phillips avenue, Norwood, Mass.; Daniel F. Burke, 43 Salem street, Reading, Mass.

Referred to the Committee on Constables and Confirmations.

SURVEY OF LIGHTING CONDITIONS.

The following was received:

City of Boston,

Office of the Mayor, June 18, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order dated May 12, 1947, concerning lighting conditions in the vicinity of Sumner, Annabel and Willis streets, and other streets in the area.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
June 16, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works make a study of inadequate street lighting conditions in the vicinity of Sumner, Annabel and Willis streets, with a recommendation to substitute the new type of electric street lights for the old type gas lamps along with some additional street lights to be installed in other locations in said area, and further that said locations shall consist of Sumner, Annabel, Willis streets and other streets in that area, and this will advise you that the Street Lighting Service of the Public Works Department will have a survey made of same with a view of making the suggested changes, if possible.

Very truly yours,

ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

REPLACEMENT OF GAS LIGHTS.
BALDWIN STREET.

The following was received:

City of Boston,

Office of the Mayor, June 18, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order dated May 19, 1947, concerning the installation of modern electric light globes and standards on that portion of Baldwin street, between Bunker Hill and Main streets, Charlestown, Ward 2.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
June 16, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works install modern electric light globes and standards on that portion of Baldwin street, between Bunker Hill and Main streets, Charlestown, Ward 2, Boston, to replace the inadequate gas lights now in use, and this will advise you that the Street Lighting Service of the Public Works Department will have a survey made of same with a view to making the suggested change, if possible.

Very truly yours,

ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

"SLOW—CHILDREN PLAYING" SIGN,
WARD 3.

The following was received:

City of Boston,

Office of the Mayor, June 20, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order dated May 26, 1947, regarding the installation of a "Slow—Children Playing" sign at Green street and Lynde street, Ward 3.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Traffic Commission, June 16, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—In reference to the request contained in Council order dated May 26, 1947, for installation of a "Slow—Children Playing" sign at Green street and Lynde street, Ward 3, please be advised that I have directed our maintenance crew to erect the necessary sign.

Respectfully submitted,

LEO F. CURLEY, Commissioner.

Placed on file.

PETITIONS RECEIVED.

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

Claims.

Alexander Athanasiou, for compensation for damage to property at 25 Cambridge street, caused by failure of high pressure water system.

William R. Ballou, for compensation for injuries and damage to property caused by fire apparatus.

George T. Callahan, for wife, for compensation for injuries caused by an alleged defect in Health Unit, Charlestown.

William F. Carney, for refund on second-hand furniture license.

James E. Connell, for compensation for damage to car caused by an alleged defect at 200 Prince st.

Roger A. Cregg, Jr., to be reimbursed for execution issued against him.

Carl DiFranco, for compensation for loss of false teeth while patient at City Hospital.

James F. Drey, to be reimbursed for money due him as intermediate teacher.

Helen L. Driscoll, for compensation for injuries caused by an alleged defect at 756 Adams street, Dorchester.

Salvatore A. Durante, for compensation for eyeglasses broken in Assessing Department.

Bernard Gurvitz, for compensation for injuries caused by fire apparatus.

Ingham & Co., Inc., for compensation for damage to property at 260-268 Washington street, caused by broken water pipe.

Charles K. Little, for refund on sign permit.

Mary Manley, for compensation for injuries caused by an alleged defect in Albany street.
 Johanna McCarthy, for compensation for injuries caused by an alleged defect at 408 Saratoga street, East Boston.

Josephine G. McCarthy, for compensation for damage to car by city truck.

Salvatore Minoie, for compensation for damage to property at 54 Sunnyside avenue, Hyde Park, caused by defective sewerage works.

Giuse Mistretta, Administrator, Estate of Angelo Mistretta, for compensation for damage to property at 25, 27 and 29 Henley street, caused by fire apparatus.

Frank Puliatti, to be reimbursed for pedler's license.

Royal Curtain Manufacturing Company, for compensation for damage to car by city car.

Wilbur Schreiner, for compensation for loss of clothing at City Hospital.

Administrator, Estate of Anthony J. Tammara, for compensation for damages for death of Anthony J. Tammara, caused by falling into open sewer.

Touraine Lunch Company—S. Lipofsky, for refund on sign permit paid twice.

Ziman Realty Company, for compensation for damage to property at 3-9-15 Alaska street, caused by city truck.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Samuel Tarle, having been duly approved by the City Treasurer, was received and approved by the Council.

COMMUNICATION FROM STATE BOARD OF HOUSING.

A communication was received from the State Board of Housing stating that resolution had been adopted approving application of City of Boston, Massachusetts, acting through the Boston Housing Authority, to take appropriate action under section 6 of chapter 372 of the Acts of 1946, as amended.
 Placed on file.

LIST OF JURORS.

Notice was received from the City Clerk that list of inhabitants qualified to serve as jurors, prepared by the Election Commissioners and printed in City Document No. 40, was filed with him on June 23, 1947, containing 10,748 names.
 Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from George W. Judkins, member of Board of Appeal, of request by Boston Housing Authority to make appraisals of certain vacant lands.
 Placed on file.

EXECUTIVE COMMITTEE REPORTS.

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

Report on petition of Helen C. Killoy (referred March 24) to be paid annuity on

account of death of her husband, Charles E. Killoy, late member of the Police Department,—recommending passage of accompanying order:

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws, an annuity of seventeen hundred and eighty dollars be allowed and paid to Helen C. Killoy, widow of Charles B. Killoy, a member of the Police Department who died on December 25, 1946, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Helen C. Killoy, 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, \$260 per annum:

Charles B. Killoy, born May 1, 1930.

Richard G. Killoy, born June 15, 1934.

Paul F. Killoy, born February 9, 1940.

provided, however, that if the widow remarries the annuity for each of said children shall be \$520 during the remainder of the time aforesaid; the payments to date from December 25, 1946, and to be charged to the appropriation for Police Department, Pensions and Annuities.

Report on petition of Catherine Lynch (referred October 2, 1944) to be paid an annuity on account of death of her husband, John Lynch, late member of the Police Department—recommending passage of the accompanying order:

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws, an annuity of twelve hundred and sixty dollars be allowed and paid to Catherine Lynch, widow of John Lynch, a member of the Police Department who died on September 19, 1944, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Catherine Lynch, 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, \$260 per annum:

Bernard John Lynch, born April 23, 1929.

provided, however, that if the widow remarries the annuity for the said child shall be \$520 during the remainder of the time aforesaid; the payments to date from September 19, 1944, and to be charged to the appropriation for Police Department, Pensions and Annuities.

Reports accepted; said orders passed.

Coun. HANNON in the chair.

Chairman HANNON—Further reports of committees? Motions, orders and resolutions?

On motion of Councilor Coffey, the Council adjourned at 2.20 p. m., to meet on Monday, June 30, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, June 25, 1947.

Special meeting of the City Council, held in the Council Chamber, City Hall, at 1 p. m., President KELLY in the chair. Absent, Councilor Bryan.

The meeting was opened with the salute to the flag.

CALL FOR SPECIAL MEETING.

The following was received:

City of Boston,
Office of the Mayor, June 23, 1947.
To the City Council.

Gentlemen,—You are hereby requested to assemble in the City Council Chamber, City Hall, on Wednesday, June 25, 1947, at one o'clock p. m., for the purpose of taking action on pending loan orders and to take action on such business now pending, or which may come before your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

Coun. SULLIVAN in the chair.

APPOINTMENTS BY THE MAYOR.

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

David Nastop, 648 Massachusetts avenue, Boston, as Constable for term ending April 30, 1948, authorized to serve civil process upon filing of bond.

Miss Ellen Wilkinson, 3 Magnolia avenue, Magnolia, Mass., as Weigher of Coal for term ending April 30, 1948.

Severally referred to the Committee on Constables and Confirmations.

RENTING OF AUTO TRUCKS, RAPID TRANSIT FACILITIES.

The following was received:

City of Boston,
Office of the Mayor, June 6, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Transit Department relative to your order of May 12, 1947, concerning public bids pertaining to the renting of auto trucks, Rapid Transit Facilities, East Boston district, in order that this work might be given to veterans at the prevailing rates governing this work.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Transit Department, June 5, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—In reply to your recent communication for consideration and report of the City Council order requesting the Transit Department to suspend its public invitation for bids for the renting of auto trucks, Rapid Transit Facilities, East Boston district, you are respectfully advised that after careful consideration of the matter, the Transit Department found that the statutes which govern the work in question made it impracticable to arrange for the furnishing of the required trucks without inviting bids by public advertisement.

Respectfully yours,
MALCOLM E. NICHOLS, Chairman.

Placed on file.

CHAIN-LINK FENCE ON DORCHESTER PARK.

The following was received:

City of Boston,
Office of the Mayor, June 9, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department relative to your order of May 26, 1947, concerning the erecting of a chain-link fence on the Dorchester Park property along Adams street.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, June 4, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of May 27, with inclosure, order from the City Council that the Park Commission be requested to erect a chain-link fence on the Dorchester Park property along Adams street.

An investigation will be made at once as to the necessity of erecting this fence. It would have to be erected on top of a stone wall, which to my knowledge has been there for over forty years. I have never heard of an accident or of any child falling off there. I shall be very pleased to go into this matter very carefully.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

REMOVAL OF TREE, MAGNOLIA STREET.

The following was received:

City of Boston,
Office of the Mayor, June 16, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Commissioner relative to your order of June 9, 1947, concerning the removal of a dangerous tree in the sidewalk on Magnolia street, Dorchester, Mass.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, June 13, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of June 10, with inclosure, order from the City Council directing the Park Commissioner to remove the dangerous tree in the sidewalk on Magnolia street, Dorchester.

Please be assured, an investigation of this tree will be made at once, and if it is dangerous it will be removed.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

CLEANING UP OF SAVIN HILL BEACH.

The following was received:

City of Boston,
Office of the Mayor, June 16, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Commissioner relative to your order of June 9, 1947, relative to the cleaning up of Savin Hill Beach for the opening of the bathing season.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, June 12, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of June 10, with inclosure, order from the City Council to direct the Park Commissioner to clean up Savin Hill Beach for the opening of the bathing season.

Please be informed this beach is cleaned regularly and will be cleaned thoroughly before Sunday.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

CLEANING OF CHARLESTOWN STREETS.

The following was received:

City of Boston,
Office of the Mayor, June 12, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order dated June 2, 1947, concerning the cleaning up of the streets in Ward 2, Charlestown, in anticipation of the June 17th parade.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
June 12, 1947.

J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—Receipt is acknowledged of order in Council, under date of June 2, 1947, as follows:

"Ordered, That his Honor the Mayor be requested to order the Public Works Commissioner to proceed at once to the cleaning up of the streets in Ward 2, Charlestown, in anticipation of the June 17th parade."

You are hereby informed that this area will be thoroughly cleaned before June 17, 1947.

ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

APPROPRIATION FROM PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, June 23, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners requesting the appropriation of \$44,000 from the income of the George F. Parkman Fund, to be expended under the direction of the Board of Park Commissioners, for the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887.

The 1947 budget estimates of the personal service requirements of the Park Department included an estimate of the total income of \$180,000 from the Parkman Fund. The budget allowances made provision for the appropriation of this income as it accrued for the purpose of defraying the cost of work actually performed on the Common and Parks in existence on January 12, 1887.

I submit herewith an order appropriating the sum of \$44,000, the accrued income now available from the Parkman Fund, and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, June 10, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to request the City Council to transfer 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 1947, 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 1947, 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 Committee on Parkman Fund.

NOTICE FROM STATE BOARD OF HOUSING.

Notice was received from the State Board of Housing together with certified copy of action of Board at meeting held June 23, 1947, re resolution to approve the expenditure of \$2,039,22 in addition to previous expenditures of \$312,602.78 by City of Boston acting by and through the Boston Housing Authority for the purpose of providing shelter for veterans.

Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from M. P. Ellis of interest in contract awarded by Library Department.

Placed on file.

LOAN FOR CONSTRUCTION OF PERMANENT WAYS OR PERMANENT PAVEMENT.

On motion of Councilor Scannell, the Council voted to take No. 2 from the Calendar, viz.:

2. Order for loan of \$2,000,000 for Construction of Permanent Ways or Permanent Pavement. On June 9, 1947, the foregoing order was read once and passed, yeas 15, nays 4.

Councilor Chase moved to reduce the amount to \$1,000,000, and the motion was ruled out of order. The order was given its second reading and passage, yeas 19, nays 1:

Yeas—Councilors Bayley, Cantwell, Carey, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—19.

Nays—Councilor Chase—1.

LOAN FOR CONSTRUCTION OF SEWERS.

On motion of Councilor Carey, the Council voted to take No. 1 from the Calendar, viz.:

1. Order for loan of \$1,000,000 for Construction of Sewers. On June 9, 1947, the foregoing order was read once and passed, yeas 15, nays 2.

The order was given its second reading and passage, yeas 19, nays 1:

Yeas—Councilors Bayley, Cantwell, Carey, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—19.

Nays—Councilor Chase—1.

LOAN FOR DEPARTMENTAL EQUIPMENT.

On motion of Councilor Scannell, the Council voted to take No. 3 from the Calendar, viz.:

3. Order for loan of \$1,420,000 for Departmental Equipment. On June 9, 1947, the foregoing order was read once and passed, yeas 18, nays 1.

The order was given its second reading and passage, yeas 19, nays 1:

Yeas—Councilors Bayley, Cantwell, Carey, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—19.

Nays—Councilor Chase—1.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted report on petition of Boston Stadium

Corporation (referred June 2) for permit for laying out, use and location of land as race ground and track for midget auto racing and other racing, not including horse or dog racing, and for civic, athletic, sporting, patriotic and religious meets, events and celebrations as are now allowed by City Ordinances, on land bounded by Mt. Vernon street, land of Samuel Tomasello, land now or formerly of Boston Consolidated Gas Company, southerly by low water mark, and land now or formerly by E. B. Badger Company, by Old Colony Parkway and junction of Mt. Vernon street and Old Colony Parkway—recommending that petition be granted.

Councilor Hannon raised the point of order that the report was not complete, in the absence of an order to be acted upon, and the Chair ruled that the point of order was well taken. Councilor Coffey moved that the Council grant the permit.

Coun. COFFEY offered the following:

Ordered, That the Mayor and City Council of the City of Boston hereby consent to the laying out, use and location of a track for midget auto racing and other racing, not including horse or dog racing, in that part of Boston known as the Dorchester district, bounded by Mt. Vernon street, land of Samuel Tomasello, land of Boston Consolidated Gas Company, southerly by low water mark, land of E. B. Badger Company, and Old Colony Parkway, said bounds being more correctly and more specifically described in a petition of the Boston Stadium Corporation, filed with the City Clerk of the said City of Boston on June 2, 1947.

Councilor Coffey asked suspension of the rules and passage of the order.

Councilor Linehan moved that action be postponed for two weeks. Councilor Hannon raised the point of order that the order had never been before the committee, and the Chair ruled the point of order well taken. Councilor Coffey moved that the matter be referred to the Committee on Licenses, but the Chair ruled that a vote must first be taken on the suspension of the rules. The vote on suspension of rules was taken by a show of hands, and suspension of rules did not prevail. Councilor Coffey moved that it be referred back to the Committee on Licenses. Councilor Muchnick moved to amend by adding "with instructions to hold a public hearing within two weeks." The amendment was declared lost. Councilor Muchnick doubted the vote and asked for a roll call. The amendment was adopted, yeas 10, nays 8:

Yeas—Councilors Bayley, Cantwell, Carey, Cook, Hannon, Keenan, Lane, Linehan, McCormack, Muchnick—10.

Nays—Councilors Coffey, Fish, Hurley, Kinsella, Moriarty, Russo, Scannell, Sullivan—8.

The question then came on reference back to the committee with instructions to hold a public hearing within two weeks, and it was so ordered.

COAL DUST NUISANCE, WARD 7.

Coun. LINEHAN offered the following:
Ordered, That his Honor the Mayor request the Public Health Commissioner to take necessary methods to abolish the coal dust nuisance that has been and is being created as a result of trucks hauling coal without adequate covering or wetting down in the vicinity of the Old Colony Housing Development in Ward 7. This coal dust nuisance is a menace to the health of the many thousands of children in the development and also damaging the house furnishings in the different apartments in that vicinity.

Passed under suspension of the rules.

BACKSTOP ON AMERENA PLAYGROUND.

Coun. COFFEY offered the following:
Ordered, That the Park Commission be requested, through his Honor the Mayor, to erect a backstop on the Porter street side of the Amerena Playground for the protection of the children.

Passed under suspension of the rules.

NAMING OF JUNCTION FOR WILLIAM J. GREEN.

Coun. RUSSO offered the following:
Ordered, That the Committee on Naming Squares be requested, through his Honor the Mayor, to consider the naming of the junction of Hanover and Commercial streets after William J. Green, a soldier who was killed in action on July 9, 1944.

Passed under suspension of the rules.

MOTION TO TAKE NO. 5 FROM THE TABLE.

Councilor Muchnick moved that No. 5 on the Calendar be taken from the table, but it was not taken from the table as there were not 15 members present.

On motion of Councilor Bayley, the Council voted to adjourn at 2.15 p. m., to meet on Monday, June 30, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 30, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Carey, Fish, Muchnick, Russo and Scannell.

The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Temporary Mayor submitted the following appointments for the term ending April 30, 1948:

Weighers of Coal: Myron Wilensky, 154 Orleans street, East Boston, Mass.; Paul Henry O'Shea, 59 Waverly road, Shaker Glenn, Woburn, Massachusetts.

Referred to the Committee on Constables and Confirmations.

PROPER EXITS IN THE REAR OF THE GRANDSTAND, FENWAY PARK.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1947.

Gentlemen,—I transmit herewith communication regarding your order of May 19, 1947, concerning the request of the Building Commissioner to direct the owners of the Boston American League Baseball Company to provide proper exits for the patrons in the rear of the grandstand.

I transmit also, reply of the State Building Inspector to whom the matter was referred by the Building Commissioner.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Building Department, June 20, 1947.

Mr. Frank Howland,
Secretary, Mayor's Office.

Dear Mr. Howland,—On May 19, 1947, the Boston City Council passed an order requesting the Building Commissioner to direct the Boston American League Baseball Company to "provide proper exits for the patrons in the rear of the grandstand." The order was transmitted by his Honor, the Mayor, to this office.

On May 28 I advised his Honor that the jurisdiction was vested in the Department of Public Safety of the Commonwealth, and I forwarded a copy of the order to Mr. John F. Stokes, commissioner of that department. You will find attached a copy of the report which Mr. Stokes has sent to this department relative to the recommendation.

Very truly yours,
JOHN J. MAHONEY,
Building Commissioner.

The Commonwealth of Massachusetts,
Department of Public Safety,
Division of Inspection,
1010 Commonwealth Avenue, Boston, Mass.
June 16, 1947.

To George C. Parsons, Chief of Inspections.

Subject: Additional Egress, Fenway Park, Boston.

1. In accordance with a memorandum received from John F. Stokes, Commissioner of Public Safety, relative to a letter received from Commissioner John J. Mahoney of the Boston Building Department and a copy of an order from the Boston City Council directing the Building Commissioner to secure additional egress for the patrons of Fenway Park, Boston, Mass., I visited Fenway Park and report as follows.

2. When the stand was erected it was approved by the City of Boston Building Department. Section 1204 of the Boston Building Code reads as follows:

"Exits.—(a) Reviewing stands, grandstands and similar structures shall be provided with exits not less than four feet wide nor less than one foot in width for each three hundred persons or fraction thereof served. Exits shall have not less than seven feet in clear height nor be more than sixty feet apart."

3. The covered portion of the main grandstand has 23,507 seats plus 2,232 box seats. The egress through gates to field vomitories and ramps leading to ground under stand totals 163 feet 6 inches.

4. At present Fenway Park is operating under a 90-day acknowledgment until specific regulations are made for structures of this nature. Emergency lights were provided with the new lighting system for night use.

5. Considered as an existing structure with due regard to its use, in my opinion there is sufficient egress properly located.

RICHARD S. BEYER,
State Building Inspector.

Placed on file.

RELEASE OF CERTAIN RIGHTS OVER A PRIVATE WAY, JAMAICA PLAIN.

The following was received:

City of Boston,
Office of the Mayor, June 27, 1947.
To the City Council.

Gentlemen,—I am in receipt of a communication from the Commissioner of Public Works, in which he recommends the release of certain rights over a private way in Jamaica Plain. It appears that these rights were given to the city in prospect of laying out and construction of this private way. It now develops, however, that no construction will take place.

Therefore, I concur on the recommendation of the Public Works Commissioner that these rights should be returned to the original owner.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department,
June 12, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—On April 2, 1941, and on January 8, 1942, the City of Boston was granted the right to lay and maintain water pipes and appurtenances in Pondmere road, Jamaica Plain.

The owner at that time intended that Pondmere road should be laid out and used as a private way in the Jamaica Plain district of Boston. However, Pondmere road has never been laid as a private or public way. Further, such use as a private way is not within the present or future contemplation of the present owner. These rights to lay and maintain water pipes and appurtenances are not required by the city.

Inasmuch as the present owner of the fee wishes to obtain a release of the rights given to the city and at the request of this office, the Corporation Counsel has prepared the attached order for presentation to the City Council.

Respectfully yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

City of Boston, in City Council.

Whereas, By two instruments in writing, one dated April 2, 1941, and recorded with Suffolk Registry of Deeds, Book 5914, page 34, and the other dated January 8, 1942, and recorded with Suffolk Registry of Deeds, Book 5967, page 402, the City of Boston was granted rights to lay and maintain water pipes and appurtenances in Pondmere road, so called, which was then intended to be laid out and used as a private way in the Jamaica Plain district of Boston, but in fact has never been laid out as either a private or a public way; and

Whereas, The fee to the two aforementioned parcels of land is now vested in a new owner who desires to keep the entire area in one parcel and who does not contemplate, either at present or in

the future, laying out any private ways in the area set forth in the aforementioned instruments; and

Whereas, The Commissioner of Public Works has advised this Body that the rights to lay and maintain water pipes and appurtenances as set forth in the aforementioned instruments are no longer required for public purposes; now therefore it is hereby

Ordered, That his Honor the Mayor be, and he is hereby, authorized in the name and behalf of the City of Boston and in form satisfactory to the Law Department of said city in consideration of one dollar (\$1) to grant and release to Thomas J. McGreevy, Jr., and those claiming by, through or under him, all rights which the City of Boston obtained by virtue of the instruments in writing hereinbefore mentioned to lay and maintain water pipes and appurtenances in the parcels of land called Pondmere road, West Roxbury, from Pond street southeasterly about 250 feet nearby Burroughs street and from Burroughs street, northeasterly and easterly to the land now or formerly of Kenmeson in Boston or however such rights and easements as set forth in the aforementioned instruments may be bounded or described; and it is hereby further

Ordered, That as an additional consideration for the release of said rights that the said owner of the above-described premises execute and deliver to the said City of Boston and its assigns a release of said city in form satisfactory to the Law Department from any and all damages caused by or in any way growing out of the grant and release by the City of Boston of its rights to lay and maintain water pipes and appurtenances in Pondmere road as set forth in the aforementioned instruments.

Referred to the Committee on Public Lands.

PETITIONS RECEIVED.

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

Claims.

Curtis Shoe Stores, Inc., for refund on marquee permit.

Harold J. Ennis, to be reimbursed as result of accident which occurred while in performance of duty.

Bart. M. Flaherty, for compensation for collapse of hot water boiler caused by water being shut off, at 549 Gallivan Boulevard.

Harry Geller, for compensation for damage to property at 924 Columbus avenue, caused by fire truck.

Bessie E. Kudisch, for compensation for damage to car by city car.

Catherine F. McInerney, for compensations for injuries caused by an alleged defect at 297 Main street, Charlestown.

Charles H. Milne, for compensation for damage to car caused by an alleged defect at 3283 Washington street, Jamaica Plain.

Elizabeth Murdock, for compensation for injuries caused by an alleged defect in Geneva avenue.

Sarab B. Noonan, for compensation for injuries caused by an alleged defect at 58 Gainsborough street.

Leslie D. Rupert, for compensation for damage to car by city truck.

Eileen M. Sutherland, for compensation for injuries caused by an alleged defect in Carson Beach.

Committee on Licenses.

Petition of Boston Elevated Railway Company for license to operate between junction of Dorchester avenue and Park street, and junction of Broadway and Tremont street.

HEARING ON RATES AND CHARGES FOR GAS BY DEDHAM AND HYDE PARK GAS COMPANY.

Notice was received from the Department of Public Utilities of hearing to be held at 166 State House, Boston, on Thursday, September 25, at 10.30 a. m., as to the propriety of the rates and charges for gas stated in certain schedules filed

with the department on June 16, 1947, by Dedham and Hyde Park Gas Company, effective July 1, 1947.

Placed on file.

DESIGNATION OF JOHN B. HYNES AS TEMPORARY MAYOR.

The following was received:

City of Boston,
City Clerk Department, June 30, 1947.
To the Honorable City Council.

Gentlemen,—I transmit herewith a copy of chapter 580 of the Acts of 1947, approved by the Governor June 26, 1947, designating City Clerk John B. Hynes to be Temporary Mayor of the City of Boston in the present emergency, and a certificate that he was sworn in and qualified as said Temporary Mayor by Governor Robert F. Bradford at 11.02 p. m. on June 26, 1947.

Respectfully,

W. J. MALLOY,
Assistant City Clerk.

Chapter 580, Acts of 1947.

An Act Relative to the Office of Mayor of the City of Boston and the Administration of the Affairs of Said City During the Present Emergency.

SECTION 1. Notwithstanding any provision of general law, of any special act relating to the City of Boston or of any ordinance of said city, the city clerk of said city in office on the effective date of this act shall upon said effective date become temporary mayor, under the designation of "temporary mayor," and shall exclusively, during the period beginning with said effective date and ending upon the return of the present incumbent of the office of mayor to active duties at the city hall of said city or, in case prior to such return a vacancy occurs in said office of mayor, until the qualification of the person first elected by popular vote after said effective date to the office of mayor of said city, possess all the rights and powers, perform all the duties and be subject to all the obligations of mayor of said city and during said period shall receive compensation at the rate now provided for the mayor, but shall not receive any compensation as city clerk. During said period he shall be deemed to be on leave of absence from the office of city clerk, and the duties of said office shall be performed by the assistant city clerk. At the end of said period said city clerk shall be entitled to return to and resume the duties of the office of city clerk and thereafter he shall hold said office during good behavior, subject only to removal in the manner provided by the civil service laws and rules.

SECTION 2. This act shall take effect upon its passage.
Approved by the Governor June 26, 1947, at 10 o'clock and 45 minutes, p. m.

Commonwealth of Massachusetts,
Executive Department,
State House, Boston.

June 27, 1947.

To Whom It May Concern.

I, Robert F. Bradford, Governor of the Commonwealth of Massachusetts, hereby certify that at 11.02 p. m. on June 26, 1947, John B. Hynes was duly sworn in and qualified as Temporary Mayor of the City of Boston in accordance with the provisions of chapter 580 of the Acts of 1947.

ROBERT F. BRADFORD,
Governor of the Commonwealth.

Placed on file.

RECONSTRUCTION AND REPAIR, HEAD HOUSE PIER BRIDGE.

Coun. LINEHAN and SCANNELL offered the following:

Whereas, The Head House Pier Bridge has been in negligent condition for the past several years without any repairs being done on same; and

Whereas, The Park Commissioner has promised to make repairs on the Head House Pier Bridge in South Boston if materials were available; and

Whereas, The necessary materials are now available; therefore be it

Ordered, That the Boston Park Commission be requested, through his Honor the Mayor, to reconstruct and repair the Head House Pier Bridge in South Boston.

The order was passed under suspension of rules.

BAND CONCERT, MARINE PARK, SOUTH BOSTON.

Coun. LINEHAN and SCANNELL offered the following:

Whereas, The City of Boston had a very beautiful bandstand constructed at Marine Park, South Boston, recently, and up to date, no band concerts have been given at said bandstand, and now that the summer season is upon us with many thousands of citizens of Boston visiting this area; therefore be it

Ordered, That the Director of Public Celebrations be requested, through his Honor the Mayor, to make provisions for band concerts at Marine Park, South Boston, every Sunday afternoon, during the summer season.

The order was passed under suspension of rules.

RESANDING AND CLEANING OUT SEASHORE FROM CARSON BEACH TO L STREET.

Coun. LINEHAN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to

resand and clean out the glass and pebbles that are along the seashore extending from Carson Beach to L street.

The order was passed under suspension of rules.

ROPING OFF MARY HANNON PLAYGROUND, JULY 3, 1947.

Coun. HANNON offered the following:

Ordered, That the City Messenger be directed to rope off the Mary Hannon Playground in Dorchester on Thursday, July 3, the expense of same to be charged to the City Council appropriation for Ropes, Flags and Stakes.

The order was passed under suspension of the rules.

Adjourned, on motion of Councilor Coffey, at 2.16 p. m., to meet on Monday, July 7, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, July 7, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Carey, Fish and Lane.

The meeting was opened with the salute to the Flag.

JURORS DRAWN.

Jurors were drawn, Councilor Moriarty presiding at the box, in the absence of the Mayor, as follows:

Fifty-three traverse jurors, Superior Criminal Court, to appear August 4, 1947:

Joseph Allegra, Ward 1; Albert DiGregorio, Ward 1; Percy Elias Ford, Ward 1; John F. Gibbons, Ward 1; Basil A. Surette, Ward 1; Bernard Chasin, Ward 3; John Gally, Ward 3; Abraham Saltzman, Ward 3; Thomas J. Curley, Ward 4; Albert E. Key, Ward 4; Henry B. Tucker, Ward 4; Stephen J. Welch, Ward 4; George B. Blake, Ward 5; Herbert Dramis, Ward 5; Frank Benutis, Ward 6; Peter Lynch, Ward 6; Peter C. Rupp, Ward 6; Francis M. O'Donnell, Ward 7; Mark O'Malley, Ward 7; Frank W. Phinney, Ward 7; Thomas F. Connare, Ward 8; James A. Contee, Ward 9; James B. Thistle, Ward 9; Edward F. O'Rourke, Ward 10; John J. Kelly, Ward 11; Ernest C. Race, Ward 11; Peter Toorkes, Ward 11; Harold Michaelson, Ward 12; Louis H. Zeramby, Ward 12; Frederick A. Allen, Ward 13; John W. Aloisio, Ward 13; William E. McCarthy, Ward 13; George H. Hammett, Ward 15; George R. Bradley, Ward 16; Alexander Drysdale, Ward 16; James H. Norton, Ward 16; Ralph William Rogers, Ward 16; Charles B. Corleto, Ward 17; William A. Cox, Ward 17; David Bouvier, Ward 18; Morris Heiman, Ward 18; Henry S. McCarthy, Ward 18; Robert Brown, Ward 19; James F. McCloskey, Ward 19; Charles J. Lindsay, Ward 20; Howard C. Wagner, Ward 20; Charles C. Levy, Ward 21; George A. Poston, Ward 21; Arthur D. Smith, Ward 21; Harry L. Strand, Ward 21; Thomas L. Towles, Ward 21; Albert C. Gaskill, Ward 22; Frank R. McKenzie, Ward 22.

APPOINTMENTS BY THE MAYOR.

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

George H. Bradley, 205 Billings street, Quincy, Mass., to be a Constable without power to serve civil process, and to serve without bond for the term ending April 30, 1948.

Mr. Bradley was appointed by the court to replace Charles M. Shea.

Referred to Committee on Constables and Confirmations.

APPOINTMENT OF INSPECTOR OF HOUSING AND SANITATION.

The following was received:

City of Boston,
Health Department, July 1, 1947.

Mr. Walter J. Malloy,
Assistant City Clerk.

Dear Sir,—This is to certify that Joseph Dunlap, 163 Boylston street, Jamaica Plain,

has been provisionally appointed as inspector of housing and sanitation at a salary of \$2,000 a year, effective July 2, 1947.

Very truly yours,
JOHN H. CAULEY, M. D., M. P. H.,
Health Commissioner.

Placed on file.

LOCATION TO BOSTON EDISON COMPANY FOR POLES, WIRES, UNDERGROUND CONDUIT AND CABLES IN SOLDIERS FIELD ROAD.

A communication was received from the Metropolitan District Commission that a location for poles, wires and an underground conduit and cables had been granted to Boston Edison Company in Soldiers Field road easterly from Everett Street Extension and in Everett Street Extension southerly from Soldiers Field road, in the Brighton district.

Placed on file.

PETITIONS RECEIVED.

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

Claims.

John Curley, for compensation for injuries and damage to property caused by an alleged defect in Dorchester avenue.

Carl A. Dahlen, M. D., for compensation for damage to car by fire apparatus.

Eastman Kodak Stores, Inc., to be paid for deliveries made to Public Works Department.

Agnes Jornacion, for compensation for eye-glasses broken by ball thrown from Tobin Playground.

Esther M. Kaitz, for compensation for damage to car by fire apparatus.

Dora H. MacLean, for compensation for injuries caused by an alleged defect at 19 Deerfield street.

Daniel MacLeod, for compensation for injuries and damage to car by city truck.

Martin J. McGovern, to be reimbursed for execution issued against him.

Marjorie Posner, for compensation for injuries caused by an alleged defect at 50 Johnston road.

George T. Russell, for compensation for injuries caused by an alleged defect in Warren street.

ORDER FOR APPROPRIATION OF \$30,000 FOR BOSTON HOUSING AUTHORITY.

Coun. HANNON moved No. 2 be taken from the table and the motion was carried.

Coun. HANNON then moved No. 2 be postponed indefinitely and the motion was carried.

APPROPRIATION FROM PARKMAN FUND.

Coun. RUSSO, for the Committee on Parkman Fund, submitted the following:

Report on message of the Mayor and order (referred June 25) for appropriation of \$44,000 from the income of the George F. Parkman Fund, for Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887—that same ought to pass.

The report was accepted, and the order was passed, yeas 16, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hannon, Hurley, Keenan, Kelly, Kinsella, Linehan, Madden, McCormick, Moriarty, Russo, Sullivan—16.

REPORT OF COMMITTEE ON CON-
STABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Ellen Wilkinson (referred June 25); Myron Wilensky and Paul Henry O'Shea (referred June 30) to be Weighers of Coal for term ending April 30, 1948—that same be approved.

Report on appointment of Curtis I. Balduf and Daniel F. Burke (referred June 23) to be Weighers of Goods for term ending April 30, 1948—that same be approved.

Report on appointment of David Nastop, 648 Massachusetts avenue, Boston, Mass., to position of Constable for the term ending April 30, 1948, authorized to serve civil process upon filing of bonds—that same be approved.

The reports were accepted, and the question came on confirmation. The President appointed Councilors Cook and Moriarty a committee to receive, sort and count the ballots. Whole number of ballots 15; yeas 15, nays 0, and the appointments were confirmed.

LOAN FOR HOUSING.

Coun. McCORMACK, for the Committee on Finance, submitted the following:

Report on message of Mayor and order (referred June 9) for loan of \$8,000,000 for veterans' multi-family housing—that same ought to pass.

The report was accepted, and the order was given its first reading and passage, yeas 16, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hannon, Hurley, Keenan, Kelly, Kinsella, Linehan, Madden, McCormack, Moriarty, Russo, Sullivan—16.

Nays—0.

The order will take its second reading and passage in not less than 14 days.

40-HOUR WEEK FOR CERTAIN CITIES
AND TOWNS.

Coun. LINEHAN offered the following:

Ordered, That chapter 649 of the Acts of 1947, entitled "An Act Authorizing a Forty-Hour Work Week for Employees of Certain Cities and Towns" be, and hereby is, accepted.

Passed under suspension of rules.

OPPOSITION TO WALCOTT BILL
(HOUSING).

Coun. LINEHAN offered the following:

Whereas, The chaotic housing conditions still exist in the City of Boston and also due to the fact that there are many tenants in the Old Colony Housing Development who are unable to secure living quarters other than where they are living at the present time; and

Whereas, Congress at this time is considering the Walcott Bill relative to disposition of War Housing such as the Old Colony Project; therefore be it

Resolved, That the Boston City Council in meeting assembled do hereby go on record as being opposed to any action on this bill at this time until housing is more available than it is at present, and that copies of this resolution be forwarded to our Senators in Congress.

Passed under suspension of rules.

EXPENDITURES OF VETERANS'
HOUSING LOAN.

Coun. LINEHAN offered the following:

Whereas, Many months have passed since the City of Boston's \$10,000,000 loan order for

construction of one-and two-family houses for veterans of World War 2 was accepted and up to date very little action has been taken relative to actual construction of one-and two-family houses under this program; therefore be it

Ordered, That the order given to the Boston Housing Authority relative to keeping back \$5,000,000 of the \$10,000,000 veterans' housing be rescinded and immediate work proceed on the continuance of construction of said one-and two-family houses.

Passed under suspension of rules.

LEVERETT STREET A ONE-WAY
STREET.

Coun. RUSSO offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to consider the advisability of making Leverett street one way, from Nashua and Charles streets, to Green street, Ward 3.

Passed under suspension of rules.

INSPECTION OF HOUSE OF CORREC-
TION, DEER ISLAND.

Coun. RUSSO announced that there would be an inspection of House of Correction, Deer Island, Thursday, July 10, at 10 o'clock, leaving from Harbor Police Station on Commercial street, to which all members of Boston City Council are invited.

"STOP, CHILDREN PLAYING." SIGN.

Coun. RUSSO offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install a warning sign to motorists at North square and North street, Ward 3, which shall read "Stop, Children Playing."

Passed under suspension of rules.

BANDSTANDS FOR PUBLIC CELEBRA-
TIONS.

Coun. KEENAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to make up four bandstands to be used for public celebrations throughout the city, the expense of same to be charged to the appropriation for Public Celebrations.

Passed under suspension of rules.

IMMIGRATION OF DISPLACED PERSONS.

Coun. CANTWELL and LINEHAN offered the following:

Whereas, In Europe today, there are thousands of persons, innocent victims of the holocaust which has enveloped their country and swept the world, who cannot return to the country of their origin; and

Whereas, These displaced persons are fugitives from religious and political persecutions, and in certain cases, subjected to indirect coercive methods of repatriation; and

Whereas, The United States has endorsed the principle that compulsion should not be used on homeless persons, victims of war and power politics; and

Whereas, House Bill 2910 is designed to use immigration quotas not exhausted during the war for the purpose of admitting persons in accordance with the usual safeguard of immigration requirements; and

Whereas, These people, many of them of Polish origin, are thoroughly imbued with democratic ideals and are opposed to totalitarianism, and would make good law-abiding citizens; therefore be it

Resolved, That the Polish American Congress, Eastern Massachusetts Districts, recommends the passage of House Bill 2910; and be it

Resolved, That we pledge our fullest cooperation in this great task not only for ourselves but for the great number of Americans of Polish descent whom we have the honor to represent; and be it

Resolved, That a copy of these Resolutions passed by the members of the Boston City Council in meeting assembled be transmitted to the Massachusetts members of Congress, to the Chairman of the House Subcommittee on Immigration, and to the Chairman of the House Judiciary Committee.

Referred to the Committee on Rules.

INVESTIGATION OF BUILDING AT 141 MILK STREET, BOSTON.

Coun. HURLEY offered the following:

Ordered, That the Building Commissioner and the Fire Commissioner be requested, through his Honor the Mayor, to immediately investigate conditions, both structural and general, in the building located at 141 Milk street, Boston, now occupied by the Department of Internal Revenue.

Passed under suspension of rules.

PROTECTION OF RETIREMENT RIGHTS OF EMPLOYEES OF BOSTON ELEVATED RAILWAY.

Coun. BRYAN and HANNON offered the following:

Ordered, That his Honor the Mayor direct the Corporation Counsel to confer with the Attorney General relative to immediate steps to be taken to protect the retirement rights of the employees of the Boston Elevated Railway in the interim between their service under the Social Security Act and their transfer to a retirement system.

Councilor Bryan requested that a copy of the above be sent to the 14 cities and towns serviced by the Boston Elevated Railway.

Passed under suspension of rules.

MOTION TO GO IN EXECUTIVE SESSION.

Coun. CANTWELL moved the matter referred to Committee on Rules (*re* Displaced Persons) be taken out of committee and acted on today. The Chair ruled it would have to stay in Rules Committee.

BUDGET OF MAYOR'S OFFICE.

Coun. MADDEN offered the following:

Ordered, That his Honor the Mayor be requested to include a substantial increase in his budget for spot lights, decorum, etc., for the Commissioner of Public Celebrations.

Referred to Committee on Rules.

MEETING OF BUILDING CONTRACTORS TO EXPEDITE HOUSING.

Coun. MADDEN offered the following:

Ordered, That his Honor the Mayor be requested to call a meeting of building contractors at the earliest possible moment to expedite the housing program.

Passed under suspension of rules.

MAYOR CURLEY'S SALARY.

Coun. CHASE offered the following:

Ordered, That the City Auditor be requested to appear before the Executive Committee

of the City Council for the purpose of explaining his intentions on the certification of Mayor Curley's salary during the period that the Mayor is confined in jail.

Referred to Executive Committee.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of Roger A. Cregg, Jr. (referred June 23), to be reimbursed for amount of execution issued against him on account of his acts as operator of motor apparatus belonging to the Boston Fire Department—recommending passage of accompanying order.

Ordered, That the sum of forty-seven dollars (\$47) be allowed and paid Roger A. Cregg, Jr., 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 on petition of Timothy D. Donahue (referred June 9) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor apparatus belonging to the Boston Fire Department—recommending passage of accompanying order.

Ordered, That the sum of seven hundred and twenty-five (\$725) be allowed and paid to Timothy D. Donahue in reimbursement for amount of execution issued against him on account of his acts as operator of motor apparatus belonging to the Boston Fire Department, said sum to be charged to the contingent fund.

Report on petition of John W. Campbell (referred June 2) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor apparatus belonging to the Water Division, Public Works Department—recommending passage of the accompanying order.

Ordered, That the sum of thirty dollars (\$30) be allowed and paid John W. Campbell in reimbursement for amount of execution issued against him on account of his acts as operator of motor apparatus belonging to the Water Division, Public Works Department, said sum to be charged to the Contingent Fund.

Reports accepted; said orders severally passed.

ON ADJOURNMENT.

On motion of Councilor Sullivan to adjourn, Councilor Muchnick raised the point of information that if certain items had been referred to Executive Committee wasn't it customary to go into Executive before adjournment. The Chair ruled not if there was a motion to adjourn. Councilor Sullivan pressed his motion, and on a voice vote, the motion was carried.

Coun. Muchnick doubted the vote and asked for a roll call. The roll was called on the motion and there being less than a quorum present, the Council was adjourned, yeas 4, nays 5:

Yeas—Kelly, Moriarty, Russo, Sullivan—4.
Nays—Bayley, Chase, Keenan, Madden, Muchnick—5.

Voting present, Cook.

The Council adjourned at 4.23 p. m., to meet on Monday, July 14, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.
(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, July 14, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilor Carey.

The meeting was opened with the salute to the Flag.

40-HOUR WEEK FOR EMPLOYEES OF CERTAIN CITIES AND TOWNS.

The following was received:

City of Boston,
Office of the Mayor, July 8, 1947.

To the City Council.

Gentlemen,—I return herewith, without my signature and disapproved, the order of your Honorable Body purporting to accept chapter 649 of the Acts of 1947, authorizing a forty-hour week for employees of certain cities and towns.

It appears that this Act will not be in effect until September 26, 1947, and a prior acceptance is therefore invalid.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

Placed on file.

"SLOW" SIGNS, PARK VALE AVENUE, WARD 21.

The following was received:

City of Boston,
Office of the Mayor, July 11, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of June 2, 1947, concerning the placing of "Slow" signs at each end of Park Vale avenue, Ward 21.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Traffic Commission, July 8, 1947.
Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—In reply to Council order dated June 2, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to place 'Slow' signs at each end of Park Vale avenue, Ward 21."

The following is the report of our engineer:

"An investigation discloses that Park Vale avenue is a short street, about 900 feet long, with no intersecting streets, ending in a T intersection at either end. This street is used only by persons familiar with the area and our accident records show that there have been only two accidents in this street in the past ten years. Suggest that no action be taken."

I have gone over the reports of the investigator and concur in his findings.

Very truly yours,
LEO F. CURLEY, Commissioner.

Placed on file.

RECONSTRUCTION AND REPAIR, HEAD HOUSE PIER BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, July 9, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Commissioner relative to your order of June 30, concerning reconstruction and repairing of the Head House Pier Bridge in South Boston.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, July 8, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of July 1, with enclosure, order from the City Council that the Park Department reconstruct and repair the Head House Pier Bridge in South Boston.

An estimate to make these repairs would be \$225,000. We had some money available two years ago, but the lowest bid we got was \$175,000. Since that time, wages, material and everything have jumped,—I am adding \$50,000 more to it, and I am also informing you I have no money available at the present time. If I can obtain this money, I will re-advertise it; we have the plans in readiness.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

RESANDING AND CLEANING OUT SEASHORE FROM CARSON BEACH TO L STREET.

The following was received:

City of Boston,
Office of the Mayor, July 9, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Commissioner relative to your order of June 30, concerning the resanding and cleaning of the seashore extending from Carson Beach to L street.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, July 8, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of July 1, with inclosure, order from the City Council to resand and clean out the glass and pebbles along the seashore extending from Carson Beach to L street.

Please be informed this area is cleaned practically every day and raked—with the change in tide there will be additional clam shells and pebbles come up. Be assured, this place is properly cleaned and cared for and we will continue to do so during the bathing season.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

APPROPRIATION FOR TEMPORARY WAR MEMORIAL, BOSTON COMMON.

The following was received:

City of Boston,
Office of the Mayor, July 14, 1947.
To the City Council.

Gentlemen,—I am advised by the chairman of the Park Department that in order to properly maintain the temporary war memorial on Boston Common an additional appropriation of \$1,000 is required. This me-

memorial was erected in commemoration of all the residents of the City of Boston who made the supreme sacrifice in World War II, and although temporary in nature, it should not be neglected due to lack of funds. Since the current appropriation is practically exhausted, I am submitting herewith an order for an additional appropriation of \$1,000, to be charged to the Contingent Fund, and respectfully recommend adoption of this order by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That an additional sum of one thousand dollars (\$1,000) be, and hereby is, appropriated, to be expended by the Park Department, for the maintenance of the temporary memorial erected on Boston Common in commemoration of all residents of the City of Boston who have made the supreme sacrifice while in the service of their country during World War II, said sum to be charged to the Contingent Fund.

Referred to Executive Committee.

ADDITIONAL APPROPRIATION FOR TRAFFIC SIGNALS.

The following was received:

City of Boston,
Office of the Mayor, July 14, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Traffic Commissioner for an additional appropriation of \$5,000 in order to complete the program of installing traffic signals at 19 intersections in various parts of the city.

In compliance with this request, I am forwarding herewith an order appropriating the sum of \$5,000 from the Special Account, Sales of City Property, and recommend immediate passage by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Traffic Commission, July 10, 1947.
John B. Hynes,
Temporary Mayor.

Dear Sir,—This department is engaged in a program of installing traffic signals at nineteen (19) intersections in various sections of the city.

The cost of these signals is chargeable to the non-revenue appropriation "Automatic Traffic Control Signals in Various Sections of the City."

A survey of the status of this appropriation made on March 24, 1947, showed that the then unencumbered balance was insufficient for the completion of this project and that additional funds in the amount of \$8,195.97 would be required. This estimate was based on purchasing the necessary cable at a cost of \$7,620—at the then prevailing market prices, and on estimated costs submitted by the Boston Edison Company in the amount of \$19,291 for furnishing electrical service to eighteen (18) intersections and \$1,611 for the one (1) additional intersection—a total of \$20,902.

In a letter dated March 26, 1947, this department requested Mayor James M. Curley to strengthen this appropriation in the amount of \$10,000. A transfer of \$10,000 from "Special Account, Sales of City Property," to this appropriation was passed in City Council April 28, 1947, and was approved by the Mayor April 29, 1947.

Since that time the Supply Department has placed our order for cable at a total price of \$10,564, an increase of \$2,944 over our previous estimate. The Boston Edison Company has submitted new estimates for the nineteen

(19) intersections in the amount of \$25,457, an increase of \$4,555 over their previous estimates.

A statement of the status of this appropriation as of June 25, 1947, is attached herewith. It shows that it is necessary to supplement this appropriation in the amount of \$5,000 in order to complete the program.

I respectfully request that \$5,000 be transferred to this appropriation from available sources.

Respectfully submitted,
LEO F. CURLEY, Commissioner.

Ordered, That under the provisions of section 63 of chapter 44 of the General Laws the sum of five thousand dollars (\$5,000) be, and the same hereby is, appropriated from the Special Account, Sales of City Property, to be expended under the direction of the Traffic Commissioner, as follows:

Automatic Traffic Control Signals in
Various Sections of the City.....\$5,000

Referred to Executive Committee.

TRANSFERS OF APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, July 14, 1947.
To the City Council.

Gentlemen,—The inclosed requests for transfer of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Welfare Department, Central Office, D-1, Office, \$330, to the appropriation for Public Welfare Department, Temporary Home, B-4, Transportation of Persons, \$10; B-6, Hire of Teams and Auto Trucks, \$35; B-18, Cleaning, \$55; C-9, Office, \$55; D-8, Laundry, Cleaning, Toilet, \$175.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Welfare Department, Central Office, D-1, Office, \$275, to the appropriation for Public Welfare Department, Wayfarers' Lodge, D-8, Laundry, Cleaning, Toilet, \$175; D-18, Chemicals and Disinfectants, \$100.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

American Red Cross, for compensation for damage to car caused by an alleged defect in West Newton street.

Minnie Balkan, for compensation for injuries caused by an alleged defect in Elm Hill avenue.

D & R Construction Company, for compensation for damage to car by city car.

Emma E. Dunn, for compensation for damage to property at 40 Holton street, caused by car of School Department.

Harold A. Fasick, for compensation for damage to car by police car.

Carmen V. Ferratuseo, for compensation for damage to car by car of Fire Department.

William S. Gregson, for compensation for damage to car caused by an alleged defect at 502 Boylston street.

Herricks, Inc., for refund on sign permit. Merit Sportswear Company, for compensation for damage to car by fire apparatus.

Louise K. and Arthur J. Rugo, to be reimbursed for expenses incurred in repairing pipes at 23 Houghton street, Dorchester.

Corinne Severino, for compensation for injuries caused by an alleged defect in East Boston Ferry.

Joseph R. Woolf, M. D., for compensation for damage to car by city truck.

James E. Coyle, to be reimbursed as result of execution issued against him.

Committee on Licenses.

Petition of Boston Elevated Railway Company to operate motor vehicles between junction West Roxbury Parkway and Belgrade avenue and junction of Centre street and Belgrade avenue over Belgrade avenue.

CONSTABLE'S BOND.

The constable's bond of Thomas J. Riley, having been duly approved by the City Treasurer, was received and approved.

NOTICE OF HEARING BEFORE DEPARTMENT OF PUBLIC UTILITIES.

Notice was received from Boston Edison Company of hearing to be held on July 16, 1947, at 9.30 o'clock a. m., on its petition for location for conduits and cables in Veterans of Foreign Wars Parkway.

Placed on file.

APPROVAL OF STATE BOARD OF HOUSING OF VETERANS' HOUSING IN BOSTON.

State Board of Housing.
Boston, July 9, 1947.

City Clerk, City Hall,
Boston, Mass.

Dear Sir,—We are attaching herewith a certified copy of an action of the Board at its regular meeting held July 7, 1947.

Very truly yours,

CHARLES P. NORTON,
Acting Executive Secretary.

A regular meeting of the State Board of Housing was duly called and held July 7, 1947, at 20 Somerset street, Boston, Mass., at which all members were present. The following resolution was unanimously adopted:

A resolution to approve the application of the City of Boston, Massachusetts, acting through the Boston Housing Authority, to take appropriate action under section 6 of chapter 372 of the Acts of 1946, as amended.

Whereas, There has been submitted to this Board the plans and layout together with the estimated cost and a detailed estimate of expenses and revenues for a proposed veterans' housing project in East Boston to be undertaken by the City of Boston, Massachusetts, acting through the Boston Housing Authority, pursuant to the provisions of section 6 of chapter 372 of the Acts of 1946, as amended; and

Whereas, On the thirteenth day of December, 1946, a public hearing was held in connection with the application of the City of Boston, Massachusetts, at which the inhabitants of said city and other persons subject to taxation therein had a reasonable opportunity to present facts and arguments in favor or against the granting of said application; it is hereby resolved:

Section 1. That the State Board of Housing has determined that an acute shortage of housing exists in the City of Boston, Massachusetts; that veterans are unable to obtain shelter for themselves and their families regardless of their ability to pay for the same; that this shortage is not being relieved by the ordinary operations of private enterprise and that it is unlikely that it will be relieved within a reasonable period of time; and that for such reasons a condition of public exigency, emergency and distress exists in such city which can be relieved only by action of such city under section 6 of chapter 372 of the Acts of 1946, as amended, and therefore approves the application of the City of Boston, Massachusetts, acting through the Boston Housing Authority, to take appropriate action under section 6 of chapter 372 of the Acts of 1946, as amended.

Section 2. That the State Board of Housing approves said plans and layout of the construction to be undertaken by the City of Boston, Massachusetts, acting through the Boston Housing Authority, under clause (3) of section 6 of chapter 372 of the Acts of 1946, as amended, at an estimated cost of \$89,304, the method of financing to be the incurring of debt as authorized by section 10 of chapter 372 of the Acts of 1946, as amended, subject to the applicable provisions of chapter forty-four of the General Laws, and further, approves said detailed estimate of expenses and revenue.

Section 3. That this resolution take effect immediately.

I hereby certify that the above resolution was unanimously adopted at said meeting of the State Board of Housing; that said resolution is a true copy of the original resolution on file with the original records of said meeting and that said resolution has not been amended or repealed and is still in full force and effect and that I, Charles P. Norton, am the duly elected Acting Executive Secretary of the State Board of Housing of the Commonwealth of Massachusetts.

Witness my hand and the seal of the State Board of Housing this eighth day of July, 1947.

CHARLES P. NORTON,
Acting Executive Secretary, State Board of Housing.

Placed on file.

LEASES OF SCHOOLS.

Communications were received from the School Committee relative to the leasing of the Lawrence School, Bigelow District, to the Paul J. Saunders Post, No. 383, American Legion; leasing of the Frederic W. Lincoln School, Thomas N. Hart District, to the Edward J. Troy Post, No. 384, American Legion; leasing of the William Cullen Bryant School, Dillaway District, to the Ambrose L. Fraser Post, United American Veterans of the United States of America, Inc., and leasing of the William Wirt Warren School, Thomas Gardner District, to the Lincoln Post, No. 363, American Legion, the School Committee having passed orders requesting the City Council to authorize it to make such leases in the name of the city.

Severally placed on file.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of George H. Bradley (referred July 7) to be Constable without power to serve civil process and to serve without bond for term ending April 30, 1948—that same be approved.

The report was accepted and the question came on confirmation. The President appointed Councilors Coffey and Moriarty to receive, sort and count the ballots. Whole number of ballots, 13; yeas, 13, nays 0, and the appointment was confirmed.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following reports:

An order (referred June 25) granting a permit for laying out, use and location of a track for midget auto racing and other racing, not including horse or dog racing, in Dorchester district—recommending that order ought not to pass.

Report accepted.

A motion by Councilor Moriarty to recommit the order to the Committee on Licenses was lost, yeas 4, nays 10:

Yeas—Councilors Hurley, Kelly, Moriarty, Sullivan—4.

Nays—Councilors Bayley, Bryan, Cantwell, Coffey, Fish, Hannon, Keenan, Kinsella, Linehan, Madden—10.

The order was rejected.

On petition of Sutcliffe Transportation Company (referred May 12) for license to operate ten or more motor vehicles for the purpose of carrying passengers from Logan International Airport to South Station; alternate route, from junction of present route in Adams square at Congress street to Copley square—recommending that license be granted.

Report accepted.

A motion by Councilor Sullivan to refer the petition to the Executive Committee was carried.

COPPER BEECH TREES ON BOSTON COMMON.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to direct the Park Commission to check on the condition of the copper beech trees on the Boston Common and to take all proper steps to preserve them in the best possible condition.

Passed under suspension of the rules.

MATERIALS FOR ERECTION OF BATH HOUSE AND SOLARIUM IN WEST END AND SWIMMING POOL IN NORTH END PARK, WARD 3.

Coun. RUSSO offered the following:

Ordered, That his Honor the Mayor consider the advisability of going to Washington, D. C., with the Manager of the George Robert White Fund for the purpose of interceding with the Housing Expediter to have the necessary materials approved for the erection of the bath house and solarium in the West End and the swimming pool in the North End Park, Ward 3.

Passed under suspension of the rules.

INSIGNIA FOR TAXICABS LICENSED IN BOSTON.

Coun. RUSSO offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to inform the members of the Boston City Council whether or not an ordinance can be drawn relative to making it necessary for taxicabs, licensed in the City of Boston, to show an insignia stating this fact and also a sign showing whether the cab is empty or carrying passengers.

Passed under suspension of the rules.

ERECTION OF HOUSING PROJECTS NORTH END, WEST END AND SOUTH END SECTIONS.

Coun. RUSSO offered the following:

Ordered, That the Housing Authority be requested, through his Honor the Mayor, to consider the advisability of erecting housing projects in the North End, West End and South End sections of Boston.

Passed under suspension of the rules.

INCREASE OF TENANTS MAXIMUM INCOME TO \$2,500 IN LOW INCOME PROJECTS.

Coun. LINEHAN offered the following:

Whereas, Many veterans and other tenants in the low income projects have become ineligible as tenants because of excessive income and the Boston Housing Authority is finding it difficult to find eligible veterans as tenants because of excessive income; therefore be it

Resolved, That the Boston City Council in meeting assembled favor an increase of tenants maximum income to \$2,500 per year and herewith request his Honor the Mayor to confer with the Boston Housing Authority, the State Board of Housing and the Federal Public Housing Administrator with a view to increasing the maximum incomes of tenants to \$2,500 per year.

Adopted under suspension of the rules.

TRANSFER OF OLD COLONY HOUSING PROJECT TO BOSTON HOUSING AUTHORITY.

Coun. LINEHAN offered the following:

Whereas, Under Section 304 of Title III of the Lanham Act, the Federal Public Housing Administrator is authorized to sell war housing projects for cash or credit, and Congress under Section 4 of Title I has directed that such housing be sold or disposed of as expeditiously as possible. It is further provided that unless specifically authorized by Congress war housing projects such as the Old Colony Project shall not be conveyed to any public or private agency organized for slum clearance or to provide subsidized housing for persons of low income; and

Whereas, The Federal Public Housing Administrator through its agent in Boston has informed the Boston Housing Authority that said Old Colony Project must be reserved before July 1, 1947, for low rent use or it will be placed on the list for sale as expeditiously as possible; therefore be it

Ordered, That his Honor the Mayor request the Boston Housing Authority to make application to the Federal Public Housing Administrator to reserve the Old Colony Housing Project to be used for housing low income families subject to an act of Congress confirming the transfer of said Old Colony Project to the Boston Housing Authority. Present tenants in the Old Colony Project would then be protected until final disposition by Congress of said project.

Passed under suspension of the rules.

HOUSING (HOUSE JOINT RESOLUTION 142 AND SENATE 1361).

Coun. LINEHAN offered the following:

Whereas, The City of Boston has made available to the Boston Housing Authority the sum of \$10,000,000 to provide one and two-family dwelling units for rental and sale to veterans; and

Whereas, There is a desperate need in Boston for multiple-dwelling units for additional families of low income; and

Whereas, The Federal Public Housing Authority, prior to December 31, 1946, entered into a contract with the Boston Housing Authority for the financing of approximately 1,480 housing units in South Boston and, relying on such contract, the Boston Housing Authority has acquired two sites for such units, one being known as "Cathedral Site" and the other being known as the "South Boston Site"; and

Whereas, Construction has not been commenced on either of said sites due to cost limitations contained in the United States Housing Act of 1937; and

Whereas, There has been introduced in Congress House Joint Resolution 142 which would permit the construction of such project by exempting it from the construction cost limitations of \$1,250 per room and \$5,000 per housing unit contained in subsection 5 of section 15 of the United States Housing Act of 1937, as amended; now therefore be it

Resolved, That the Mayor of the City of Boston be requested to communicate with the Senators and Congressmen from Massachusetts urging the early passage of House Joint Resolution 142 in order that such low rent project may be constructed at an early date and thus help alleviate the great distress and suffering of those who are so badly in need of low rent housing in the City of Boston; and

Whereas, The Senate has passed S. 1361 which, if enacted into law, would authorize the City of Boston to contribute a portion of the cost of the above housing units; and

Whereas, If such bill becomes a law, the City of Boston may be in a position to aid in the immediate construction of such units; now therefore be it further

Resolved, That the Mayor of the City of Boston be requested, in communication with the Congressmen from Massachusetts concerning House Joint Resolution 142, to urge that, if such joint resolution will not be enacted into law during this session, they actively support the passage by both houses of S. 1361 at this session of Congress; be it further

Resolved, That a copy of this resolution be sent to the two Senators and to each Congressman from Massachusetts.

Adopted under suspension of the rules.

FISHING AT PIER AT CASTLE ISLAND.

Coun. LINEHAN and SCANNELL offered the following:

Ordered, That after necessary repairs have been made at Castle Island by the Park Department that the pier located at the island may be open to the public for the purpose of fishing if said pier is deemed safe by competent authorities.

Passed under suspension of the rules.

INSPECTION OF CONTRACTS OVER \$1,000 BY CITY AUDITOR.

On motion of Councilor Linehan, the Council took No. 1, under unfinished business, from the Calendar, viz.:

1. Resolution favoring inspection by City Auditor of all contracts over \$1,000 awarded without competitive bidding.

Chairman SULLIVAN—Councilor Linehan calls up No. 1, under unfinished business, on the Calendar.

A motion by Councilor Linehan to indefinitely postpone the resolution was carried.

ADJOURNMENT.

On motion of Councilor Chase, the Council voted that when it adjourn it be to meet on Monday, August 4, 1947, at 2 p. m.

VENTILATING FANS IN STREET CARS.

Coun. CHASE offered the following:
Ordered, That the Metropolitan Transit Authority be requested, through his Honor the Mayor, to install ventilating fans in all passenger cars under their control.

Passed under suspension of the rules.

UNNECESSARY WORK ON THE LORD'S DAY.

Coun. SULLIVAN offered the following:
Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to enforce section 9 of chapter 136 of the General Laws relative to business establishments doing unnecessary work on the Lord's Day without a permit.

Passed under suspension of the rules.

LEASE OF WILLIAM CULLEN BRYANT SCHOOL.

Coun. SULLIVAN offered the following:
Ordered, That the School Committee be hereby authorized to lease to the Ambrose L. Fraser Post, United American Veterans of the United States of America, Inc., the William Cullen Bryant School, Dillaway street, upon such terms and conditions as said committee may deem advisable.

Passed under suspension of the rules.

LEASE OF LAWRENCE SCHOOL.

Coun. SCANNELL offered the following:
Ordered, That the School Committee be hereby authorized to lease to the Paul J. Saunders Post, No. 383, American Legion, the Lawrence School, Bigelow District, upon such terms and conditions as said committee may deem advisable.

Passed under suspension of the rules.

LEASE OF FREDERIC W. LINCOLN SCHOOL.

Coun. SCANNELL offered the following:
Ordered, That the School Committee be hereby authorized to lease to the Edward J. Troy Post, No. 384, American Legion, the Frederic W. Lincoln School, Thomas N. Hart district, upon such terms and conditions as said committee may deem advisable.

Passed under suspension of the rules.

REINSTATEMENT OF WALTER J. KENNEY IN POLICE DEPARTMENT.

Coun. LINEHAN and HANNON offered the following:

Ordered, That chapter 608 of the Acts of 1947, entitled "An Act Authorizing the City of Boston to Temporarily Reinstate Walter J. Kenney in its Police Department for the Sole Purpose of Being Retired" be, and hereby is, accepted.

Passed.

INCREASE OF ASSESSMENTS ON DWELLING HOUSE UNITS.

Coun. MUCHNICK offered the following:
Ordered, That his Honor the Mayor instruct the Board of Assessors to consider the advisability of increasing proportionately the assessments on all dwelling house units on which rentals have been and are being increased under the terms of the recent Federal legislation.

Passed under suspension of the rules.

INVESTIGATION OF GAS MASKS USED
BY POLICE AND FIRE DEPARTMENTS.

Coun. MADDEN offered the following:
Ordered, That his Honor the Mayor request the Police Commissioner to investigate the fact that gas masks now used by the Police and perhaps the Fire Departments afford the men using them little or no protection.
Passed under suspension of the rules.

LEASE OF WILLIAM WIRT WARREN
SCHOOL.

Coun. MADDEN offered the following:
Ordered, That the School Committee be hereby authorized to lease to the Lincoln Post, No. 363, American Legion, the William Wirt Warren School, Waverly street, Brighton, upon such terms and conditions as said committee may deem advisable.
Passed under suspension of the rules.

RECESS.

On motion of Councilor Chase, the Council voted at 3.57 p. m. to take a recess, subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 4.32 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) for appropriation of \$1,000, to be expended by Park Department, for maintenance of temporary memorial on Boston Common—that same ought to pass.

The report was accepted, and the order was passed, yeas 18, nays 0:

Yeas—Councilors Bayley, Bryan, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, Moriarity, Muchnick, Russo, Sullivan—18.

Nays—0.

2. Report on message of Mayor and order (referred today) for appropriation of \$5,000, to be expended under direction of Traffic Commissioner, for automatic traffic control signals in various sections of the city—that same ought to pass.

The report was accepted, and the order was passed, yeas 18, nays 0:

Yeas—Councilors Bayley, Bryan, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, Moriarity, Muchnick, Russo, Sullivan—18.

Nays—0.

3. Report on message of Mayor and orders (referred today) for transfers of appropriations—that same ought to pass.

The report was accepted, and the orders were passed, yeas 18, nays 0:

Yeas—Councilors Bayley, Bryan, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, Moriarity, Muchnick, Russo, Sullivan—18.

Nays—0.

4. Report on petition of Sutcliffe Transportation Company (referred today) for li-

cense to operate ten or more motor vehicles for the purpose of carrying passengers from Logan International Airport to South Station; alternate route, from junction of present route in Adams square at Congress street to Copley square—that license be granted.

The report was accepted.

A motion by Councilor Sullivan to refer the petition to the Committee on Licenses was lost, yeas 3, nays 11:

Yeas—Councilors Madden, Russo, Sullivan—3.

Nays—Councilors Bryan, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Moriarity, Muchnick—11.

The question came on the granting of the license. The license was granted.

INSTALLATION OF FANS IN CITY
COUNCIL CHAMBER.

Coun. RUSSO offered the following:
Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to install fans in the City Council Chamber.

Passed under suspension of the rules.

LANDING AT CHARLES RIVER BASIN.

Coun. BAYLEY offered the following:
Ordered, That his Honor the Mayor be requested to ask the Metropolitan District Commission to rope off or to make safe the landing at the foot of Dartmouth street on the Charles River Basin.

Passed under suspension of the rules.

VETERANS' HOUSING SITES IN
ALLSTON-BRIGHTON.

Coun. MADDEN offered the following:
Ordered, That his Honor the Mayor request the Boston Housing Authority to construct one- and two-family houses for veterans out of the City of Boston \$10,000,000 housing program for veterans and that the following sites in Allston and Brighton be considered and that immediate and favorable action be taken.

1. That area between Bigelow street on the east, Bellamy street on the south, the Newton line on the west and the Boston & Albany property on the north (Precinct 13).

2. Kendrick street on the south, Brayton road on the east and north and the Newton line on the west (Precinct 14).

3. Soldiers Field road on the north, Smith Playground on the east, Western avenue on the south and Everett street on the west (Precinct 4).

4. Western avenue on the north, Waverly street on the west, Holton street on the south and the New England Spun Silk Corporation property on the east.

Passed under suspension of the rules.

On motion of Councilor Hannon, the Council adjourned at 4.58 p. m., to meet on Monday, August 4, 1947, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 4, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilor Fish.

The meeting was opened with the salute to the flag.

JURORS DRAWN.

Jurors were drawn, Councilor Bryan presiding at the box, in the absence of the Mayor, viz.:

Forty-seven traverse jurors, Superior Criminal Court, to appear September 8, 1947:

William Briana, Ward 1; Richard J. Goggin, Ward 1; John M. White, Ward 1; Mario J. Marchetti, Ward 2; Edwin vonBergen, Ward 2; Giuseppe Rizzo, Ward 3; Leslie C. Westfall, Ward 3; Edwin T. Bell, Ward 4; Thomas P. Joy, Ward 4; Joseph Elovitz, Ward 5; Edward D. Haumann, Ward 5; Thomas E. Mahoney, Ward 6; James L. Ross, Ward 7; Earl Keenan, Ward 9; Leo P. Marshall, Ward 9; Edgar R. Taylor, Ward 9; Michael J. Cody, Ward 10; Clifford C. Grivois, Ward 10; Arthur Dwyer, Ward 11; Randolph H. Tanner, Ward 11; Louis Williams, Ward 11; William N. Stokes, Ward 12; Joseph F. Clifford, Ward 13; Abraham Chalmers, Ward 14; Leo L. Drunkley, Ward 14; Abraham J. Klayman, Ward 14; William Richman, Ward 14; Reuben Yaffee, Ward 14; James C. Bradford, Ward 15; Edward B. Maxwell, Ward 15; Martin F. Craven, Ward 16; John A. Crihlie, Ward 16; Leo Donato, Ward 16; Joseph P. Malloy, Ward 16; Charles Bengin, Ward 17; Arthur T. Benson, Ward 17; Anthony T. High, Ward 17; Harold B. Pinto, Ward 17; John H. Bernard, Ward 19; Alfred Kasanowsky, Jr., Ward 19; Thomas J. McCarthy, Ward 19; Ernest C. Eaton, Ward 20; James J. Dunney, Ward 21; Clement J. Churchill, Ward 22; John W. Harvey, Jr., Ward 22; Robert P. Murray, Ward 22; John A. Walsh, Ward 22.

One hundred twenty-eight traverse jurors, Superior Civil Court, to appear September 8, 1947:

William D. Allie, Ward 1; Lewis Anderson, Ward 1; Richard W. Bagley, Ward 1; Ralph Bunopane, Ward 1; Alfred Famiglietti, Ward 1; William H. Gallagher, Ward 1; John Henehury, Ward 1; Felice Iantosca, Ward 1; Vincent DeVincentis, Ward 2; Cedric A. Rose, Ward 2; Guy J. Saccardo, Ward 2; Rocco Falcione, Ward 3; Victor B. Fowler, Ward 3; Morris Levin, Ward 3; Morris Wartow, Ward 3; John Zaloha, Ward 3; Maurice J. Coughlan, Ward 4; Herhert P. Edes, Ward 4; Thomas McMurray, Ward 4; Patrick Moran, Ward 4; Thomas Patrick Norton, Ward 4; Chester E. Rothera, Ward 4; Charles A. Ryan, Ward 4; James E. Coakley, Ward 5; Arnold H. Epstein, Ward 5; Sumner W. Evans, Ward 5; Archibald T. Graham, Ward 5; Stanley K. Horton, Ward 6; Robert T. Nelson, Ward 6; Alhert Pels, Ward 6; John F. Bolasky, Ward 7; Joseph P. Camphell, Ward 7; Stephen M. Damhry, Ward 7; Walter T. King, Ward 7; Joseph A. McDonough, Ward 7; John Milligan, Ward 7; Robert E. Murphy, Ward 7; Lewis A. Reed, Ward 7; Edward J. Walker, Ward 7; Edward J. Fleming, Ward 8; Francis J. Gillis, Ward 8; William J. Hanna, Ward 8; Richard Ryan, Ward 8; Martin T. Shields, Ward 8; Jeremiah Donovan, Ward 9; William G. Gray, Ward 9; Paul R. Green, Ward 9; Warren T. Reilly, Ward 9; Thomas Clifford, Ward 10; Edward F. Sullivan, Ward 10; John F. Burns, Ward 12; David I. Rattet, Ward 12; David Seligman, Ward 12; Maurice W. Smith, Ward 12; Michael J. Burke, Ward 13; Charles A. Campbrell, Ward 13; Patrick J. Duggan, Ward 13; Michael J. Duran, Ward 13; Alhin J. Mikalauski, Ward 13.

Thomas J. A. Conley, Ward 14; William Feinberg, Ward 14; Harold J. Golden, Ward 14; David Grossman, Ward 14; Abraham Kalis, Ward 14; Samuel H. Kalp, Ward 14; Jack Levine, Ward 14; Ruhin Magovskiy, Ward 14; Simon L. Ryman, Ward 14; Harry I. Soloway, Ward 14; George L. Steinberg, Ward 14; Frank Tohin, Ward 14; Joseph F. Ahern, Ward 15; A. Elliott Dagle, Ward 15; John J. Dempsey, Jr., Ward 15; Thomas Donelan, Ward 15; James J. Farrell, Ward 15; Edward C. Lihhy, Ward 15; Paul A. O'Brien, Ward 15; Ralph J. Panetta, Ward 15; Bernard J. Byrne, Ward 16; Anthony G. Curran, Ward 16; Roy H. Nelson, Ward 16; Francis D. Scanlon, Ward 16; Charles J. Thompson, Ward 16; Alhert M. Aznive, Ward 17; George E. Doyle, Ward 17; Arthur M. Hall, Ward 17; Henry F. Hogan, Ward 17; Vincent J. Kohansky, Ward 17; Robert C. Ott, Ward 17; Paul W. Ouimet, Ward 17; George H. Sharpe, Ward 17; Richard W. Sullivan, Ward 17; Wilfred Cormier, Ward 18; Raymond F. Dean, Ward 18; Lawrence T. Fallon, Ward 18; Forrest W. George, Ward 18; Samuel Kadiff, Ward 18; Ernest Kruhmin, Ward 18; Thomas J. McCarthy, Ward 18; Irving E. Pulster, Ward 18; Robert N. Smith, Ward 18; Udell O. Smith, Ward 18; Morris Strauss, Ward 18; Henry J. Clahhy, Ward 19; Michael J. Flaherty, Ward 19; Howard A. Wilson, Ward 19; Martin A. Baronas, Ward 20; Frederick J. Chipman, Ward 20; Patrick J. Hickey, Ward 20; Johan A. Johanson, Ward 20; John J. Reynolds, Ward 20; Robert E. Somes, Ward 20; Joseph Ahrams, Ward 21; Marks Alhert, Ward 21; Joseph P. Gillespie, Ward 21; Alfred M. Greenwood, Ward 21; Samuel Mushkin, Ward 21; Alhert W. Nelson, Ward 21; William B. Page, Ward 21; Ralph T. Power, Ward 21; Simeon John Strickland, Ward 21; Ira D. Trask, Ward 21; Ralph E. Clark, Ward 22; John P. Riordan, Ward 22; Joseph A. Simendinger, Ward 22; Daniel T. Troy, Ward 22; John M. Wilson, Ward 22.

VETO OF PETITION OF SUTCLIFFE TRANSPORTATION COMPANY.

The following was received:

City of Boston,

Office of the Mayor, July 18, 1947.

To the City Council.

Gentlemen.—I return herewith, without my signature and disapproved, the vote of your Honorable Body of July 14, 1947, granting a license to the Sutcliffe Transportation Company to operate motor vehicles from the airport over certain additional streets in the City of Boston.

The ordinance of the city regulating licenses of this description requires that the route, stopping places, rate of fare and type of vehicle be set out in the license.

The petitioner made an application in 1945 for a license between the airport and the Hotel Statler which complied with the specifications of the ordinance and the petition was granted. In direct contrast, the petition now pending before me specifies only the routes and termini, and furnishes no stipulation as to stopping places, rate of fare or type of vehicle. In addition, the petition, if approved, would license the operation of an unlimited number of motor vehicles which might be of any type.

It is my opinion, therefore, that any petition for license to operate what may prove to be a virtual monopoly in this class of transportation, over many of our most heavily traveled downtown streets, should not be granted in the absence of all necessary and possible information, regardless of the fact that the Department of Public Utilities may subsequently regulate the licensee.

No doubt every effort to improve the transportation to and from the airport should be encouraged, but before agreeing to a license ostensibly for that purpose the city is entitled to be informed exactly what kind of transportation is to be furnished in order to determine its necessity and to consider whether its operation would result in an improvement in or a detriment to efficient transportation.

For the specified objections the license is disapproved.

Respectfully,

J. B. HYNES,
Temporary Mayor.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments for the term ending April 30, 1948:

Constables: Joseph Solomon Richards, 520 Blue Hill avenue, Roxbury, Mass., authorized to serve civil process upon filing of bond; Benjamin N. Clott, 22 Glenarin street, Dorchester, Mass., authorized to serve civil process upon filing of bond.

Weighers of Coal: George E. Lewis, 17 Flint street, Somerville, Mass.; Edward G. Hawkins, 122 Endicott avenue, Revere, Mass.; Harry A. Bloom, 23 Ransom road, Brighton, Mass.

Weighers of Goods: Paul Henry O'Shea, 59 Waverley road, Shaker Glenn, Woburn, Mass.; John E. Keegan, Reed Freeman.

Severally referred to the Committee on Constables and Confirmations.

UNNECESSARY WORK ON THE LORD'S DAY.

The following was received:

City of Boston,
Office of the Mayor, July 25, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Police Commissioner relative to your order of July 14, 1947, concerning the enforcement of section 9 of chapter 136 of the General Laws, relative to business establishments doing unnecessary work on the Lord's Day without a permit.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Police Department, July 23, 1947.
Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Mr. Mayor,—I return herewith order of the City Council dated July 14, 1947, and reading as follows:

"Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to enforce section 9 of chapter 136 of the General Laws relative to business establishments doing unnecessary work on the Lord's Day without a permit."

Please be advised that the Boston Police Department is complying with the statutes regarding working on the Lord's Day without a permit.

Respectfully yours,
T. F. SULLIVAN,
Police Commissioner.

Placed on file.

INCREASE OF ASSESSMENTS ON DWELLING HOUSE UNITS.

The following was received:

City of Boston,
Office of the Mayor, July 29, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Board of Assessors relative to your order of July 14, 1947, concerning the advisability of increasing proportionately the assessments on all dwelling house units on which rentals have been and are being increased under the terms of the recent Federal legislation.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Assessing Department, July 23, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—On July 22, 1947, you requested consideration and report upon the subject of the Council order of July 14, 1947, in which the Council requested the Board of Assessors to consider the advisability of increasing proportionately the assessments on all dwelling house units on which rentals have been and are being raised under the terms of the recent Federal legislation.

Such increase in rentals will properly be considered as one of the elements of fair cash value to be determined by the assessors as of January 1, 1948. Instructions relative to such consideration will be issued by the Board of Assessors to the

first assistant assessors at the annual organization meeting to be held in December, 1947.

Very truly yours,
Board of Assessors,
PETER J. ALLEN, Chairman.

Placed on file.

COAL DUST NUISANCE, WARD 7.

The following was received:

City of Boston,
Office of the Mayor, July 21, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Health Commissioner relative to your order of June 25, 1947, concerning the abolishing of the coal dust nuisance created as a result of trucks hauling coal without adequate covering or wetting down in the vicinity of the Old Colony Housing Development in Ward 7.

Respectfully,
J. B. HYNES,
Temporary Mayor.

July 16, 1947.
To Health Commissioner John H. Cauley, M. D.,
M. P. H.

From Housing and Sanitation Division.
Subject: Council order, June 25, 1947, requesting the Public Health Commissioner to take necessary methods to abolish the coal dust nuisance created as a result of trucks hauling coal without adequate covering or wetting down in the vicinity of the Old Colony Housing Development in Ward 7.

In accordance with the City Council order of June 25, 1947, the following report of Inspectors Joseph T. Ryan and John E. O'Neil is submitted: "On July 8, 1947, in company with Inspector O'Neil a survey was made in the vicinity of the Old Colony Housing Development and found evidence of coal dust on the sidewalks and streets in this locality.

There are several large coal companies located on East First street, South Boston, and many trucks are engaged in hauling coal from there to various points throughout the city.

The following coal dealers and users were visited and were informed that trucks should not be overloaded and loads should be thoroughly wet down before leaving for their destinations:

White Fuel Company, 900 East First street, Daniel Connors, head shipper.

C. H. Sprague Coal Company, 658 East First street, F. I. Heal, superintendent of yard.

Boston Elevated Railway Company, 696 East First street, John Kundert, chief engineer.

J. P. McCabe Company, 509 East First street, South Boston, Joseph McCabe, owner.

Stetson Coal Company, 496 East First street, R. E. Emerson, manager.

In each case full cooperation was promised and inspections will be made to see that matters of overloading and wetting down will be enforced.

In my opinion this is a police matter and Captain Lynch of Division 6, South Boston, has been notified of the condition complained of for his further action and consideration.

Reported the condition of the streets near the housing project to the Street Cleaning Division of the Public Works Department and on July 9, 1947, these streets were cleaned.

Talked with Councilor Linehan of Ward 7, the sponsor of this order, and informed him of the steps taken to eliminate the coal dust nuisance in the vicinity of the Old Colony Housing Development, Ward 7, South Boston.

Respectfully,
FRANCIS L. DONOVAN,
Chief Inspector.

Placed on file.

BACKSTOP ON AMERENA PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, July 15, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Commissioner relative to your order of June 25, 1947, concerning the erecting of a backstop on the Porter street side of the Amerena Playground for the protection of children.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, July 10, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of June 26, with enclosure, order from the City Council that the Park Department erect a backstop on the Porter street side of the Amerena Playground for the protection of the children.

Please be assured I will have a lower backstop erected there just as soon as I can possibly get to it.

Very truly yours,
WILLIAM P. LONG, Chairman.
Placed on file.

INVESTIGATION OF BUILDING AT 141 MILK STREET, BOSTON.

The following was received:

City of Boston,
Office of the Mayor, July 15, 1947.
To the City Council.
Gentlemen,—I transmit herewith communication from the Fire Commissioner relative to your order of July 7, 1947, requesting an investigation of the condition of the building located at 141 Milk street, Boston, now occupied by the Department of Internal Revenue.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Fire Department, July 10, 1947.
Mr. J. Joseph Connors,
Secretary, Mayor's Office.

Dear Sir,—Acknowledgment is made of your communication dated July 8th in which you transmit an order from the City Council dated July 7th that the Building Commissioner and the Fire Commissioner be requested to investigate conditions, both structural and general, in the building located at 141 Milk street, Boston.

A report will be forwarded to his Honor Temporary Mayor John B. Hynes, in the near future, subsequent to investigation.

Very truly yours,
RUSSELL S. CODMAN, JR.,
Fire Commissioner.
Placed on file.

VENTILATING FANS IN STREET CARS.

The following was received:

City of Boston,
Office of the Mayor, July 30, 1947.
To the City Council.
Gentlemen,—I transmit herewith communication from the Metropolitan Transit Authority relative to your order of July 14, 1947, concerning the installation of ventilating fans on all passenger cars under their control.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Boston Elevated Railway Company,
July 29, 1947.
Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—The Board of Trustees of the Metropolitan Transit Authority directed me to advise you as follows in reply to the City Council's order of July 14, 1947, relative to the installation of fans in all passenger cars:

The Elevated was one of the first railways to order new modern type surface cars equipped with ventilating fans which bring in fresh air, thus accomplishing a great improvement. The last 25 cars ordered, which are in operation in South Boston and on Tremont street, are equipped with fans, and all new cars, of course, will be so equipped. Other cities are following this practice when ordering new cars.

The question of what can be done with the other P. C. C. cars not equipped with fans is a problem which will be given careful consideration, but it would cost \$390,000 to make the installations.

Conditions are different in rapid transit cars because of the frequent opening of end doors and side doors which permits circulation of air through the cars. These cars are much older than the relatively new P. C. C. cars and when replaced will of course be provided with modern equipment,

including proper ventilation. The expenditure of \$205,000 to install in old cars the type fans used in New York, which are purely agitating fans, could not be justified under existing conditions.

Very truly yours,
EDWARD DANA,
President and General Manager.
Placed on file.

INSIGNIA FOR TAXICABS LICENSED IN BOSTON.

The following was received:

City of Boston,
Office of the Mayor, August 1, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Law Department relative to your order of July 14, 1947, concerning the matter of whether or not members of the Boston City Council may draw up an ordinance relative to making it necessary for taxicabs, licensed in the City of Boston to show an insignia stating this fact, and also a sign showing whether the cab is empty or carrying passengers.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Law Department, July 31, 1947.
Hon. John B. Hynes,
Temporary Mayor.

Dear Sir,—On July 22, 1947, you sent to me for consideration and report the following order of the City Council:

"Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to inform the members of the Boston City Council whether or not an ordinance can be drawn relative to making it necessary for taxicabs, licensed in the City of Boston, to show an insignia stating this fact and also a sign showing whether the cab is empty or carrying passengers."

In my opinion the City Council has no power to pass an ordinance of the type described, in view of the following provisions of St. 1930, c. 392, s. 1:

"The police commissioner of the city of Boston shall have *exclusive authority* to make rules and orders for the regulation of hackney carriages and hackney stands . . . within the limits of said city, with penalties for the violation thereof not exceeding twenty dollars for each offense . . ." (emphasis supplied).

The exclusive authority of the Police Commissioner in this field was recognized in *Burrell v. Checker Taxicab Company*, 287 Mass. 111, 113, and in *Hersch v. Police Commissioner of Boston*, 319 Mass. 428, 431.

Very truly yours,
JOSEPH A. SCOLPONETTI,
Corporation Counsel.

Placed on file.

COPPER BEECH TREES ON BOSTON COMMON.

The following was received:

City of Boston,
Office of the Mayor, August 4, 1947.
To the City Council.
Gentlemen,—I transmit herewith communication from Deputy Park Commissioner, Park Department, City of Boston, your order of July 14, 1947, relative to the preservation of copper beech trees on Boston Common.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, July 31, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of July 22 with enclosure, order of the City Council, requesting his Honor the Mayor to direct the Park Commission to check on the condition of the copper beech trees on the Boston Common and to take all proper steps to preserve them in the best possible condition.

There are no beech trees on Boston Common. We have quite a number of purple beech trees on the Public Garden. The following are the variety and size: Four large purple, six medium purple, three large American, three medium American, and three weeping beech trees.

On inspection we find that all of them are in good condition and are being properly cared for.

Very truly yours,

JOHN J. MURPHY,
Deputy Commissioner.

Placed on file.

\$2,000,000 LOAN, VETERANS' HOUSING.

The following was received:

City of Boston,
Office of the Mayor, July 30, 1947.
To the City Council.

Gentlemen,—Under the provisions of chapter 372 of the Acts of 1946 and amendments thereto, Boston is authorized to borrow approximately twenty-eight million dollars for providing housing for veterans of World War II. Under this legislation as originally enacted, construction was limited to single or two-family residences, but under the amendments adopted this year "multi-family" units may now also be constructed.

Late last year, your Honorable Body authorized the issuance of bonds totaling ten million dollars for single and two-family construction. There is now on your Calendar, awaiting a second and final reading, a loan order authorizing eight million dollars to be utilized in the construction of multi-family units. It is planned with this loan to complete the South End housing project and to erect in various locations throughout the city multiple units housing various numbers of families, depending upon the size and location of the available land. I am advised that in all probability ten million dollars will be required to carry out this proposed program. I am requesting your Honorable Body to approve an additional loan in the amount of \$2,000,000, and am submitting herewith the necessary appropriation order. With the approval of this order, the city can divide its efforts between single, two-family residences, and multi-family dwellings. It is my earnest intention to carry forward this \$20,000,000 housing program which, I believe, is the maximum that can be accomplished within the financial limitations of the city. I respectfully recommend adoption of the loan order submitted herewith.

Respectfully,

J. B. HYNES,
Temporary Mayor.

Ordered, That under the provisions of section 10 of chapter 372 of the Acts of 1946 as amended by section 6 of chapter 479 of the Acts of 1947, the sum of two million dollars be, and the same hereby is, appropriated to meet expenses necessary in providing housing for veterans of World War II, and that the City Treasurer be, and hereby is, authorized to issue, from time to time, upon request of the Mayor, bonds, notes or certificates of indebtedness of the City of Boston to said amount.

Referred to Finance Committee.

SALE OF LAND ON THOMAS STREET, JAMAICA PLAIN.

The following was received:

City of Boston,
Office of the Mayor, July 23, 1947.
To the City Council.

Gentlemen,—I submit herewith a communication from the Superintendent of Public Buildings, in which he recommends the sale of the Old Thomas Street Schoolhouse, Thomas street, Jamaica Plain, for the sum of \$500.

This building is now occupied by the Jamaica Plain Post, Veterans of Foreign Wars, under a lease with the City of Boston.

In view of the fact that it is now a strict policy of the city to sell property of this kind at public auction, I recommend the adoption of the accompanying order which provides for the sale of land and building at public auction at an upset price of \$500.

Respectfully,

JOHN B. HYNES,
Temporary Mayor.

City of Boston,
Public Buildings Department,
January 27, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—I am in receipt of an offer from the Jamaica Plain Post 675, Veterans of Foreign Wars, to purchase the building known as "Old Thomas Street Schoolhouse," located in Ward 19, 9-15 Thomas street, Jamaica Plain, in the sum of five hundred dollars (\$500).

The Jamaica Plain Post now occupy the above quarters and pay the City of Boston \$1 a year as rental for its use, repair and upkeep. At the present time the building is in need of repairs and renovations.

I recommend the sale of this building to the Jamaica Plain Post 675, Veterans of Foreign Wars, for the sum of \$500 as offered. This sale will relieve the city from further responsibility for repairs to this building.

Respectfully,
JAMES E. SULLIVAN,
Superintendent of Public Buildings.

Whereas, The City of Boston owns in fee a certain parcel of land containing approximately ten thousand seven hundred fifty-four (10,754) square feet of land, together with the building thereon, situated on the northeasterly side of Thomas street in the West Roxbury district of the City of Boston; and

Whereas, The said parcel of property is no longer required for public purposes; now therefore it is hereby

Ordered, That the Superintendent, Public Buildings Department of the City of Boston, be, and he hereby is, authorized, in the name and behalf of the City of Boston, to sell at public auction at an upset price of five hundred dollars (\$500), all the City of Boston's right, title and interest in and to said parcel of property, hereinafter described; and it is hereby further

Ordered, That his Honor the Mayor of the City of Boston be, and he hereby is, authorized, in the name and behalf of the City of Boston, to execute and deliver to a purchaser at said public auction a written instrument satisfactory in form to the Law Department of the City of Boston conveying all the City of Boston's right, title and interest in and to said parcel of property hereinafter described. The said parcel of property is bounded and described as follows:

Southwesterly by Thomas street, one hundred fifty-five and 25-100 (155.25) feet; northwesterly by land now or formerly of Albert L. and Alice E. Pierce, sixty-nine and 91-100 (69.91) feet; northeasterly by land now or formerly of Edward J. Dolan, one hundred fifty-three and 46-100 (153.46) feet; southeasterly by land now or formerly of George and Violet Mawhinney, sixty-nine and 16-100 (69.16) feet, containing ten thousand, seven hundred fifty-four (10,754) square feet of land, more or less. Said parcel of land, the location of the building thereon, and all of said measurements are shown on a plan marked "City of Boston, Thomas Street, West Roxbury, April 1, 1947, Thomas F. McGovern, Chief Engineer, Street Laying-Out Department." The original of said plan is on file in the office of the Street Laying-Out Department, City Hall, Boston, Mass.

Referred to Committee on Public Lands.

LOAN FOR DEPARTMENTAL EQUIPMENT.

The following was received:

City of Boston,
Office of the Mayor, July 30, 1947.
To the City Council.

Gentlemen,—I submit herewith a communication and report from the Budget Commissioner concerning departmental equipment needs. It appears from this report that an additional appropriation of \$380,000, supplementing the one million, four hundred and twenty thousand dollars appropriation already authorized by your Honorable Body, is necessary to meet departmental needs and requirements. I feel that it is desirable to provide this year for the full equipment needs of city departments since, in all probability, this is the last year in which a loan of this character will be proposed. Having utilized loans both last year and this to provide for equipment purchases necessarily deferred during the five war years, it would seem reasonable to assume that next year and in subsequent years departmental

equipment needs may be provided through the medium of budget appropriations. With the sole desire to provide for the estimated current departmental needs, I recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Budget Department, August 4, 1947.

Hon. John B. Hynes,
Temporary Mayor of Boston.

Sir,— On April 28, 1947, there was submitted to the City Council a loan order in the amount of \$2,000,000 for the purchase of departmental equipment for various departments of the city. This amount was based on the requests for permanent equipment amounting to more than \$1,670,000, which were eliminated from the 1947 budget, and the balance to provide for the purchase of equipment for departments whose needs were not definitely known at the time the loan was submitted, and also to provide for possible price increases and other contingencies.

On June 9, 1947, this loan order was reduced to \$1,420,000 by the City Council and given its first reading. On June 25, 1947, it was given its second reading and passage.

As far as I am able to ascertain, the reduction voted by the Council was based largely on the fact that sufficient information was not available

to substantiate the appropriation recommended. Because of this fact, and at your direction, a re-survey of departmental equipment needs was instituted. This survey resulted in requests totaling \$1,869,567.65. Subtracting from this sum the loan of \$1,420,000 already approved by the Council, and the down payment of \$154,100 provided in the budget, leaves a balance of \$295,467.65 to cover the over-all needs of departments. In view of the strong possibility of further price increases, and the fact that departmental estimates have been prepared on the basis of current prices, I feel it desirable to allow for a reserve of roughly 5 per cent, or \$84,532.35 for possible price increases and other contingencies. This will make a total additional requirement of \$380,000, and I recommend the submission of the necessary order to the City Council.

Enclosed herewith are two exhibits containing more detailed information. Exhibit A is a tabulation by departments setting forth (1) the total needs of the departments as a result of the survey; (2) the allocation of the \$1,574,100 already available, which figure includes the loan authorization of \$1,420,000 and the down payment of \$154,100 appropriated in the budget, and (3) the additional amounts necessary to meet the requirements. Exhibit B is a statement setting forth by departments the type of equipment to be purchased.

Respectfully,
JOHN A. SULLIVAN,
Budget Commissioner.

EXHIBIT A.

SUMMARY OF DEPARTMENTAL EQUIPMENT REQUIREMENTS.

DEPARTMENT.	(1) Total Requirements.	(2) Allocation of Amounts Authorized.	(3) Additional Requirements.
Assessing.....	\$110,230 00	—	\$110,230 00
Auditing.....	16,575 00	\$16,575 00	—
Retirement Board.....	2,002 00	2,002 00	—
Traffic Commission.....	7,100 00	7,100 00	—
Collecting.....	19,742 00	438 00	19,304 00
Fire.....	933,000 00	800,900 00	132,100 00
Health.....	2,500 00	2,500 00	—
Hospital.....	253,200 00	253,200 00	—
Park.....	54,297 00	45,000 00	9,297 00
Police.....	90,017 00	90,017 00	—
Public Welfare.....	4,350 00	—	4,350 00
Public Works.....	362,651 65	350,800 00	11,851 65
Weights and Measures.....	5,568 00	5,568 00	—
Court House Custodian.....	6,945 00	—	6,945 00
Medical Examiner, Southern Division.....	1,390 00	—	1,390 00
	\$1,869,567 65	\$1,574,100 00	\$295,467 65
Reserve.....	—	—	84,532 35
	\$1,869,567 65	\$1,574,100 00*	\$380,000 00

* Comprises loan of \$1,420,000 plus down payment of \$154,100.

EXHIBIT B.

ITEMIZATION OF DEPARTMENTAL EQUIPMENT REQUIREMENTS.

Assessing Department — \$110,230. For the purchase of Remington-Rand power machines to expedite the tax billing procedure.

Auditing Department — \$16,575. For the purchase of a Remington-Rand reproducing punch, three Burroughs accounting machines, and imprinter and three cabinets.

Boston Retirement Board — \$2,002. For the purchase of two adding machines, a calculator, six cabinets and a table.

Boston Traffic Commission — \$7,100. For the purchase of an electric lathe, a Buick sedan and a Ford sedan.

Collecting Department — \$19,742. For the purchase of a Remington-Rand sorter and tabulator, and a Cummins check endorser and Hatch numberer.

Fire Department — \$933,000. For the purchase of fifteen pumps, ten hose wagons, one rescue truck,

one tractor, eighteen aerial ladders, twenty small cars, eleven replacement motors, fire alarm boxes and lockers.

Health Department — \$2,500. For the purchase of two automobiles, used for the collection of cultures and milk samples.

Hospital Department — \$253,200. For the purchase of additional X-Ray equipment, due to expansion of Radiology Department; sterilizers needed to modernize the service rooms, ambulances, refrigerators, wheel chairs, beds, tables and other essential equipment.

Park Department — \$54,297. For the purchase of a 12-ton sanding machine, three 5-ton dump trucks, three ½-ton pick-up trucks, five Ford sedans and coupes, motorcycle, tractor and rowboats used at beaches.

Police Department — \$90,017. For the purchase of fifty cruising cars, seven patrol wagons, five motorcycles and five trucks.

Public Welfare Department — \$4,350. For the purchase of inserting and mailing machine.

Public Works Department — \$362,651.65 In the Paving Division, for the purchase of Walter snow fighters, road rollers, bulldozers, dump trucks, pick-up trucks, plows and other miscellaneous motor vehicle equipment. In the Sewer Division, for the purchase of catch-basin cleaning machines, sewer cleaning machines, dump trucks and beach wagons. In the Bridge Division, for the purchase of compressors and chassis with lumber bodies. In the Sanitary Division, for the purchase of flushers, dump trucks, ash trucks, sweepers, derrick trucks and other miscellaneous motor vehicle equipment.

Weights and Measures Department — \$5,568. For the purchase of four trucks.

Court House Custodian — \$6,945. For the purchase of document cases for Municipal Court and table lamps for the Registry of Deeds.

Medical Examiner, Southern Division — \$1,390. For the purchase of a passenger automobile to replace present one.

Ordered, That under the provisions of clause 9 of section 7 of chapter 44 of the General Laws, the sum of three hundred and eighty thousand (\$380,000) dollars be, and hereby is, appropriated, to be expended by various departmental officials, under the direction of the Mayor, for costs of additional departmental equipment, and that to meet said appropriations the City Treasurer be authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to Finance Committee.

SALE OF LAND, CORNER OF CABOT AND WHITTIER STREETS.

The following was received:

City of Boston,

Office of the Mayor, July 17, 1947.

To the City Council.

Gentlemen,—I submit herewith an order for the sale of land and building, formerly occupied by Engine No. 13, situated on Cabot street, on the corner of Whittier street, in the Roxbury district. The order calls for the sale of this property at public auction at an upset price of five hundred dollars (\$500).

This property is no longer needed by the Fire Department for any public purpose, and in view of the fact that certain veterans' posts are desirous of obtaining this property for headquarters, and in view of the fact that the property is now in poor condition, I recommend that your Honorable Body give approval to the accompanying order.

Respectfully,

J. B. HYNES,
Temporary Mayor.

Whereas, The City of Boston owns in fee a certain parcel of land containing approximately four thousand eight hundred thirty-two (4,832) square feet of land, together with the buildings thereon, situated on the northwesterly side of Cabot street at the southwestly corner of Whittier street in the Roxbury district of the City of Boston; and

Whereas, The said parcel of property is no longer required for public purposes; now therefore it is hereby

Ordered, That the Superintendent, Public Buildings Department of the City of Boston, be, and he hereby is, authorized, in the name and

behalf of the City of Boston, to sell at public auction at an upset price of five hundred dollars (\$500), all the City of Boston's right, title and interest in and to said parcel of property, hereinafter described; and it is hereby further

Ordered, That his Honor the Mayor of the City of Boston be, and he hereby is, authorized, in the name and behalf of the City of Boston, to execute and deliver to a purchaser at said public auction a written instrument satisfactory in form to the Law Department of the City of Boston conveying all the City of Boston's right, title and interest in and to said parcel of property hereinafter described. The said parcel of property is bounded and described as follows:

Southeasterly by the northwesterly line of Cabot street, forty-eight and 25-100 (48.25) feet; southwesterly by land of the City of Boston, one hundred twenty-four and 70-100 (124.70) feet; northwesterly by the southeasterly line of Downing street, by two measurements, one and 9-100 (1.09) and forty-one and 69-100 (41.69) feet; northeasterly by the southwesterly line of Whittier street, one hundred two and 8-100 (102.08) feet; containing four thousand eight hundred thirty-two (4,832) square feet of land, more or less. Said parcel of land, together with the locations of the buildings thereon and all of said measurements, are shown on a plan marked "City of Boston, Cabot Street, Downing Street, Whittier Street, Roxbury, July 11, 1947, Thomas F. McGovern, Chief Engineer, Street Laying-Out Department." The original plan is on file in the office of the Street Laying-Out Department, City Hall, Boston, Mass.

Referred to Committee on Public Lands.

TRANSFER OF LANDS TO GEORGE ROBERT WHITE FUND.

The following was received:

City of Boston,

Office of the Mayor, July 23, 1947.

To the City Council.

Gentlemen,—I submit herewith an order for the acceptance of chapter 542 of the Acts of 1947, entitled an act "Authorizing the Transfer of Lands of the City of Boston to the George Robert White Fund."

This act provides for the transfer for fair cash value of park and other lands owned by the city to the White Fund Trustees, and will permit of the use of such land by the trustees for purposes within the meaning of the White Fund Will.

The provisions of the act have already been accepted by a vote of the trustees of the George Robert White Fund. To be effective it now requires the acceptance by the City Council of the City of Boston, and I therefore respectfully request passage of the accompanying order by your Honorable Body.

Respectfully,

J. B. HYNES,
Temporary Mayor.

Ordered, That chapter 542 of the Acts of 1947, entitled an act "Authorizing the Transfer of Lands of the City of Boston to the George Robert White Fund," be, and the same hereby is, accepted.

Referred to Executive Committee.

PERMISSION TO BUILD STRUCTURE OVER SEWERAGE WORKS.

The following was received:

City of Boston,

Office of the Mayor, August 4, 1947.

To the Honorable City Council.

Gentlemen,—Alessandro Zanetti and Caterina Zanetti, the owners of a certain parcel of land situated on the westerly side of Bowman street, Dorchester, have petitioned the Temporary Mayor of the City of Boston for permission to build a cottage house on said land over sewerage works maintained and operated by the city.

In 1893 the City of Boston, by an order passed in Board of Aldermen and approved by the Mayor, took an easement in certain parcels of land in the Neponset district for the purpose of continuing and extending the improved sewerage system. At the time of this taking the Board of Survey of the City of Boston proposed that certain

public streets should be laid out in this district and that the proposed sewerage works would be located and constructed in such streets; however, the proposals of the Board of Survey were abandoned, and the sewerage works were located and constructed and are today operated and maintained in part in private lands.

Mr. and Mrs. Zanetti at the present time live at 26 Bowman street, opposite the parcel of land on which they seek permission to build. An eviction notice has been served upon the Zanettis, and they are being compelled to vacate their present home. Mr. and Mrs. Zanetti have lived at this address for some years and would like to continue their residence in this neighborhood.

Plans of the proposed cottage type of house to be located and constructed in part over the easement for sewerage works of the City of Boston have been filed in the Department of Public Works and approved by that department.

I would like to help, and I would like to have your assistance in helping, Mr. and Mrs. Zanetti to locate and construct a house of their own at this time in the midst of our most difficult housing shortage.

I present to you herewith an order whereby your Honorable Body may authorize the Temporary Mayor of the City of Boston to grant to Alessandro Zanetti and Caterina Zanetti, husband and wife as tenants by the entirety, a license to locate, construct, and maintain in a manner satisfactory to the Commissioner of Public Works a cottage type of house over said sewerage works of the city in land now owned by them.

I urgently recommend your consideration and passage of the accompanying order.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Law Department, July 31, 1947.

Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Mr. Mayor,—Recently you referred to me a petition of Mr. Alessandro Zanetti, 26 Bowman street, Dorchester, for permission to construct a cottage type house on land owned by Mr. and Mrs. Zanetti and situated on the westerly side of said Bowman street, said house to be constructed in part over a sewer easement of the City of Boston.

I have investigated the subject matter, and it is my opinion that in order for the petition of Mr. Zanetti to be granted it will be necessary for the Mayor and Council of the City of Boston to authorize the placing, construction, and maintenance of this structure over the City of Boston's sewerage works.

Enclosed please find order, together with letter of transmittal, which, if the same meet with your approval, may be forwarded by you to the City Council for their consideration and action.

Yours very truly,
JOHN J. TOBIN,
Assistant Corporation Counsel.

Whereas, By an order passed in Board of Aldermen of the City of Boston, January 23, 1893, and approved by the Mayor of the City of Boston, January 25, 1893, the City of Boston for the purpose of continuing and extending the improved sewerage system of the city did take an easement in certain lands situated on Bowman street in the Dorchester district, reserving to the owners of said lands the right to the use of the surface thereof for any of the ordinary uses of a way; and

Whereas, No way has been laid out or constructed over said lands, nor is it now proposed to lay out or construct any street or way over said lands; and

Whereas, Alessandro Zanetti and Caterina G. Zanetti are the owners of a parcel of said lands situated on the westerly side of Bowman street subject to said sewer easement, and desire to construct and maintain upon their land a structure to be located, constructed, and supported with reference to the rights of the City of Boston as shown on a plan filed in the Department of Public Works and approved as to such location and construction by the Commissioner of Public Works; now therefore it is hereby

Ordered, That his Honor the Temporary Mayor of the City of Boston be, and he hereby is, authorized in the name and behalf of the City of Boston to grant a license by an instrument in writing satisfactory in form to the Law Department of the City of Boston to Alessandro Zanetti and Caterina

Zanetti, husband and wife as tenants by the entirety, their heirs and assigns, to locate, construct, and maintain in a manner satisfactory to the Commissioner of Public Works of the City of Boston a structure over said sewerage works of the City of Boston as is shown on a plan filed in the Department of Public Works and approved by the Commissioner of Public Works, reserving, however, to the City of Boston, its successors and assigns, the right to enter upon the premises of Alessandro Zanetti and Caterina Zanetti, their heirs and assigns, at all times for the purpose of constructing, operating, maintaining, repairing, and renewing said sewerage works or any municipal structure now in or which may hereinafter be placed in said land or premises of Alessandro Zanetti and Caterina Zanetti, their heirs and assigns.

Referred to Executive Committee.

TRANSFERS OF APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, August 4, 1947.
To the City Council.

Gentlemen,—The enclosed requests for transfers of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Park and Playground Improvements, etc., \$1,000, to the appropriation for Park Department, B-4, Transportation of Persons, \$900; B-13, Communication, \$100.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for County of Suffolk, Special Appropriation, Contingent Fund, \$783.31, to the appropriation for County of Suffolk, District Court of Chelsea, A-1, Permanent Employees, \$783.31.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Suffolk County Court House, Custodian, A-1, Permanent Employees, \$3,000, to the appropriation for Probate Court, D-1, Office, \$3,000.

Referred to Executive Committee.

ADDITIONAL APPROPRIATION FOR WATER DIVISION.

The following was received:

City of Boston,
Office of the Mayor, August 4, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached request from the Commissioner of Public Works for an additional appropriation of \$15,000 for the Water Division. This appropriation is necessary to pay claims for damages approved by the Law Department of the City of Boston.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department,
July 16, 1947.

Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,—I respectfully request that the sum of fifteen thousand dollars (\$15,000) be appropriated from Water Revenue to F-2, Damages, Water Division budget, 1947.

We will need approximately this amount of money to cover outstanding indebtedness in this item of the Water Division budget for the year 1947.

Very respectfully,
 ROBERT P. CURLEY,
 Commissioner of Public Works.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1947, an additional sum of fifteen thousand dollars (\$15,000) be, and the same hereby is, appropriated from the income of the Water Service of the Public Works Department, to be expended by the Commissioner of Public Works, for the following purposes:

PUBLIC WORKS DEPARTMENT.
 Water Division.

F. Special Items.....	\$15,000
2. Damages.....	\$15,000

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Caroline Abernathy, for compensation for damage to property at 12 Tolman street, Dorchester, caused by backing up of sewage.

Thomas J. Ariansen, for compensation for damage to car caused by an alleged defect at 2 Eldora street.

James Ashe, for compensation for damage to property at 11 Fawndale road, caused by backing up of sewage.

David M. Biggs *et al.*, for compensation for damage to property at 608 Gallivan Boulevard, during road construction.

Elizabeth Boogusch, for compensation for broken eyeglasses and injuries to eye by police officer firing gun.

Ralph A. Borden, to be reimbursed as result of accident which occurred while in performance of duty.

Alfred E. Brown, for compensation for injuries caused by an alleged defect in Merchants row.

Thelma H. Collins, for compensation for injuries caused by an alleged defect in Washington street.

Congress Street Associates, for compensation for damage to property at 50 Congress street by collapse of sewer on Exchange place.

Mary C. Corbett, for compensation for injuries caused by an alleged defect at 15 Montfern avenue.

Mrs. John F. Donovan, for compensation for injuries caused by an alleged defect in Mead street.

Mrs. C. H. Edwards, for compensation for injuries caused by an alleged defect at Boylston and Fairfield streets.

William H. Frusselle, for compensation for damage to car caused by an alleged defect at entrance to Sumner Tunnel.

Mrs. George Geake, for compensation for injuries caused by an alleged defect in Tremont street.

Mary Joyce, for compensation for injuries caused by an alleged defect at Milk and Pearl streets.

John F. Kelly, for compensation for injuries caused by an alleged defect at Boston Technical High School.

John L. Kelly, to be reimbursed as result of accident which occurred while in performance of duty.

John Kostka, for compensation for damage to property at 47 Green street, caused by flooding of cellar.

Alfred G. Leonard, for compensation for loss of jacket at Boston City Hospital.

James E. Lewis, to be reimbursed as result of accident which occurred while in performance of duty.

Daniel P. Lovett, for compensation for damage to car caused by an alleged defect in Darling street.

James J. McDonald, for compensation for damage to property at 68 Percival street, Dorchester, caused by balls thrown from Ronan park.

Lawrence D. MacDougall, to be reimbursed as result of accident which occurred while in performance of duty.

Joseph J. McManus, for compensation for damage to car caused by an alleged defect at Warren street and Commonwealth avenue.

R. Orchard, for compensation for collapse of water boiler at 4393 Washington street.

William Pink, for compensation for damage to car by fire apparatus.

John J. Powers, to be reimbursed as result of accident which occurred while in performance of duty.

Anthony V. Profita, for compensation for collapse of water boiler at 57 Snow Hill street, caused by water being shut off.

Peter J. Rakanskas, for compensation for damage to car by city truck.

Clementina Raspa, for compensation for damage to property at 5 Garden Court street during demolition of adjoining building.

Arthur Reeves, to be reimbursed for executions issued against him.

Bernard and Stephen Rosen, for compensation for injuries caused by fire apparatus.

Frank Rudderham, for compensation for damage to car caused by an alleged defect at 390 Marlborough street.

A. Sandler, for compensation for damage to property at 185 Essex street and 645 Atlantic avenue, caused by water damage.

Sally Shaer, for compensation for damage to car by fire truck.

Jeanette Snyder, for compensation for injuries caused by police car.

State Street Corporation, for compensation for damage to property at 192-204 Washington street and 10 State street, caused by break in water main.

Theodore F. Sturgis, for compensation for damage to car by city truck.

Claire Tessier, for compensation for injuries caused by an alleged defect in Franklin Park.

Gail Williams, for compensation for injuries caused by an alleged defect at City Point Beach.

Roland S. Wylie, for compensation for damage to car caused by an alleged defect at Sumner Tunnel.

Christopher Nasti, for compensation for damage to property at 31 Blossom street, caused by defective condition of sewers and pipes.

Six Little Tailors Company, for compensation for damage to property at 204 Washington street, Boston, caused by defective water pipe.

Committee on Licenses.

Petition of Sutcliffe Transportation Company for license to operate motor vehicles from General Logan International Airport to Porter street to Sumner Tunnel to Cross street to Haymarket square to Canal street to Causeway street to North Station, thence along Causeway street through Keany square to Commercial street to Atlantic avenue to Dewey square to Sumner street (South Station) to Dorchester avenue to Congress street to Post Office square to Congress street to Dock square to North street to Sumner Tunnel, with the right to operate in either direction.

Stopping places: Logan International Airport, Eastern Massachusetts Bus Depot, North Station, South Station.

Petition of Thomas C. Nolan, doing business as Cape Tours, for license to operate motor vehicles from Revere-East Boston line to Park square, over McClellan Highway, Saratoga street, Chelsea street, Porter street, Sumner Tunnel, Cross street, Haymarket square, Washington street, Hanover street, Cambridge street, Charles street, Park square, Church street, Stuart street, Eliot street, Park square, Charles street, Cambridge street, Hanover street, Cross street, Sumner Tunnel, Porter street, Chelsea street, Bennington street, Swift street, McClellan Highway.

Alternate: McClellan Highway, Saratoga street, Chelsea street, Porter street, Sumner Tunnel, Cross street, Dock square, Brattle street, Scollay square, Tremont street, Stuart street, Eliot street, Park square, Boylston street, Tremont street, Scollay square, Hanover street, Cross street, Sumner Tunnel, Porter street, Chelsea street, Bennington street, Swift street, McClellan Highway.

Petition of Boston Elevated Railway Company for license to operate motor vehicles between Sullivan square and City square, over Main street and City square, return over Park street, Warren street and Main street.

Petition of Riverside Motordrome Company for permit for laying out, use, and location of certain lands, Dorchester district, for midget auto racing.

Executive Committee.

Petition of Mary E. McKernan to be paid annuity on account of death of husband, William J. McKernan, late member of Fire Department.

Petition of Mary E. Shields to be paid annuity on account of death of husband, Edward F. Shields, late member of Police Department.

Petition of Lucille A. Payne for minor's license as a newsboy.

MINORS' LICENSES.

Petitions for minors' licenses were received from twelve newsboys and one bootblack.

Licenses granted under usual conditions.

TRACK LOCATION.

Notice was received from the Board of Street Commissioners of track location granted to Boston Elevated Railway Company, Commonwealth avenue, being 114th location; also track location, Dudley street, 115th location.

Severally placed on file.

CONDUIT LOCATION.

Communication was received from State Department of Public Utilities granting to Boston Edison Company conduit location on Veterans of Foreign Wars Parkway.

Placed on file.

APPOINTMENT OF MEMBERS OF FINANCE COMMISSION.

Notice was received from the Secretary of the Commonwealth that Frederick W. Roche, for term ending August 9, 1947; Leo J. Dunn, for term ending July 17, 1948; Alexander Wheeler, for term ending October 9, 1949; Edward F. Mullen, for term ending August 18, 1950; Frederick Deane, for term ending July 28, 1951, were appointed as members of Finance Commission.

Placed on file.

APPOINTMENT OF TRUSTEES OF METROPOLITAN TRANSIT AUTHORITY.

Notice was received from the Secretary of the Commonwealth that Joseph Gannon, for term ending July 1, 1949; Harold D. Ulrich, for term ending July 1, 1951; John F. Hurlley, for term ending July 1, 1953; Edward E. Whiting, for term ending July 1, 1955; Carroll L. Meins, for term ending July 1, 1957, were appointed as trustees of Metropolitan Transit Authority.

Placed on file.

APPROVAL OF VARIOUS PROJECTS BY STATE BOARD OF HOUSING.

Communications were received from the State Board of Housing approving various projects for veterans' housing.

Placed on file.

REPORT OF FINANCE COMMISSION ON 1947 TAX RATE.

The following was received:

City of Boston,
Finance Commission, July 16, 1947.

To the Honorable the Mayor and City Council.

Gentlemen,—Following its usual custom, the Finance Commission submits herewith for the published record the elements which made up the computation by the Board of Assessors of the tax rate for 1947. This annual analysis is intended by the Commission to spread the publication of the figures used in the tax rate determination beyond the few and the initiated who normally receive them.

Year after year for the past several years the Boston tax rate has been steadily climbing. There has not been in several decades any significant trend in a lower direction. Once or twice there has been a slight reduction in the tax rate per thousand dollars of assessable valuation, but

on these rare occasions it was plain to all familiar with the facts that it had been accomplished by a method of calculation the sole aim of which was to obtain a temporary advantage rather than to face the financial situation fairly. It is not surprising, therefore, that such reductions as have been developed lasted for not more than a short temporary period. Moreover, they—on each such occasion—actually served to make it impossible to avoid a new peak in the rate in the following year; and, furthermore, in every year, whether the rate was increased or reduced, the number and volume of abatements which followed show clearly that those who determined the rate sacrificed fair valuation to a desire to avoid the full consequences of municipal largess in expenditures. The record of abatements of the past half-dozen years totaling approximately three-quarters of a billion dollars (in valuation figures), forced by determined taxpayers, is striking evidence of the use of "smart" devices to keep the rate down.

The 1947 rate is the highest of all time in Boston. Such as it is, it ranks at or near the top in all comparable municipalities. And boosting valuations temporarily to hold the tax rate down has been resorted to again. It is evident to those familiar with real estate development in Boston that there has been little new taxable valuation created since the establishment of the rate in 1946, or even in 1945. Any new figures of valuation developed in that time have, therefore, been for the most part higher valuation of old property. With labored and shallow arguments to justify it, in establishing a 42 rate in 1946 the assessors reached a total valuation which was \$57,000,000 more than the total assessable valuation in 1945.

In the year which has now intervened since establishment of the 1946 rate, and despite the 1946 protestations of justification for those new high figures, approximately \$70,000,000 of that total assessable valuation has had to be abated. Nevertheless, in order to keep the rate in 1947 as low as \$46.50, the total assessable valuation has had to be boosted another \$22,000,000 above that original 1946 valuation. Had the assessors established the total of valuations for 1947 at the amount to which they have been forced to reduce practically the same valuations for 1946, the rate in 1947 would be approximately \$3 higher than the declared \$46.50.

Such review as has been possible to this writing of the valuations fixed by the assessors indicates that again it is the commercial and industrial property which has felt most the heavy increase in municipal expenditure. It is as if assessors' instructions were to avoid increase in valuation of residential property but increase valuation of all commercial and industrial property. The obvious unfairness of this policy results in great dissatisfaction with the decisions of the assessors and makes business for the State Appellate Tax Board. It gives rise to speculation as to the real intent because it does more than merely keep the rate down. It also creates extensive opportunity for a small coterie of solicitors for abatements. Great numbers of applications for abatements follow from it and usually somebody "who knows the ropes" has to be hired to take up with the assessors the question of whether the original valuation will stand. In instances where an abatement is granted and taxes already paid are refunded, the cost to the property owner is substantial. Refunds in the past year on 1946 assessments alone have run as high as \$42,000. In many instances, valuations have, after tax rate declaration time, and as a result of negotiations with the Administration, been reduced from \$200,000 to \$1,000,000. In many, the abatement granted since June of 1946 has been the exact amount of the increase which was recorded in June, 1946. The question naturally provoked is "What could have been the motive?"

A fortuitous circumstance in the 1947 computations was the discovery by the City Auditor of a "free cash" element in the item carried on his balance sheet as the "Surplus Revenue" account. This account is made up of the difference between the items known as "assets" and the "liabilities and reserves." To the extent that this difference registers a higher figure than the total uncollected levies of previous years, it is deemed to be "free cash." As "free cash" it was decided to use enough of it to offset the overlay deficit account to January 1, 1947. Actually it was applied by the assessors against the requirements of planned outlay and served to relieve the taxpayers of 1947 in the amount of \$2,386,208.50.

According to the assessors' release of statistics, it saved the taxpayers \$1.55 in this year's rate.

While the use of this sum in keeping the rate down was in the nature of "reaching into the bags of tricks" annually employed for this purpose, and is the first occasion when this device was used, the Finance Commission has no criticism to offer concerning it. Rather, the Commission desires to point out that eighteen years ago, the Commission organized a ten taxpayers' group who petitioned the Supreme Court to compel such use of "free cash." The court said, in effect, that it was discretionary with the assessors to so use this particular "free cash" or not, whereupon the assessors refused to yield to the recommendation of the Finance Commission that the current taxpayers be given the benefit of all such funds. It is significant of the present municipal strain on the taxpayers that the assessors resorted to this device this year after so many years of refusal. It is also to the credit of the City Auditor that finally the city has begun to use this account in this way rather than for the financing of some new expansion of activities.

In another particular, the assessors' way of arriving at the 1947 tax rate is worthy of mention. They reduced the percentage for overlay in the total levy from 3.50 per cent in 1946 to 3.30 per cent in 1947. This overlay is used mainly as a reserve from which to make refunds in instances of abatements. While such a reduction served to keep the rate lower than otherwise it would be in 1947, yet it is distinctly not facing the situation frankly. Overlay deficits result from such practices and they are increasing with the years. As an illustration, it is only necessary to point to the fact that the 3.50 per cent for overlay in 1946 set up a reserve of \$2,182,112.58 for refunds of abatements

granted in 1946 assessments; yet, to May 1, 1947, this entire amount has been refunded, and the deficit in the account is now approximately \$525,000.

Eventually this deficit will be much greater because, to the present time, such abatements of 1946 assessments as have occurred have been entirely voluntary on the part of the assessors. None has been ordered by the State Appellate Tax Board though it is fair to state that to some extent settlement of old tax appeals before decision by the State Board was predicated on a more or less particular assessed valuation in 1946. There are, however, many more appeals from 1946 valuation awaiting adjudication either by the assessors themselves or by the Appellate Tax Board which, as they are decided, will swell the present deficit in the overlay account. By the end of the current year the deficit in the 1946 overlay account is likely to be close to \$1,000,000.

This is positive evidence of the inadequacy of the 3.50 per cent overlay in the 1946 computation and indicates that the lowering of the percentage to 3.30 per cent in 1947 is not providing fully for the need which might be anticipated in the 1947 account. A review of the abatements by year and of each year's assessments for the past decade shows that the need in the overlay account has been more often 5 and 6 per cent than 3 per cent.

The Total Requirements of City and County Appropriations and State Warrants.

The obligations of the year 1947, in terms of city, county and school appropriations and in warrants from the state (the city's share of state net requirements), increased substantially over those of 1946. The part which is distinctly city requirements follows:

DETAIL OF GENERAL APPROPRIATIONS.

	1946.	1947.
Schools.....	\$16,461,061 87	\$18,464,619 26
Buildings (Alterations, etc.).....	1,114,730 00	1,210,515 73
Debt Requirements.....	404,703 75	390,522 50
Statutory Payment on Loans.....	596,000 00	616,400 00
Interest on City Debt.....	1,104,488 93	1,498,639 33
Serial Debt.....	5,692,306 27	4,787,683 46
Sinking Funds.....	8,307 00	8,565 00
Fire Department.....	5,711,796 20	7,239,502 58
Health Department.....	1,007,725 23	1,119,182 22
Hospital Department.....	5,539,985 00	7,440,066 72
Institutions Department.....	1,784,462 40	2,250,662 22
Park Department.....	1,839,711 80	2,016,518 11
Police Department.....	7,100,739 00	8,722,589 58
Public Library Department.....	1,383,301 00	1,811,318 98
Public Welfare Department.....	10,560,249 71	11,277,404 34
Public Works Department.....	8,186,677 83	9,055,546 85
Soldiers' Relief Department.....	477,461 62	900,312 22
Governor Square Rental Deficit.....	114,586 03	114,590 18
General Purposes (City).....	4,213,142 14	4,841,940 84
Huntington Avenue Deficit.....	111,813 38	119,213 42
Overlay Deficits (1937-1945).....	1,142,504 77	2,386,206 50
Emergency Compensation Allowance.....	1,300,000 00	—
State-Boston Retirement Fund.....	—	306,458 00
Pension Accumulation Fund.....	2,702,487 00	1,848,000 00
Total City and Schools.....	\$78,558,140 23	\$88,426,458 04

The school portion of the above total is interesting because of the general dissatisfaction in recent years with school policy (before and after the Strayer School Survey) and because of the decline in school membership (94,136 on December 31, 1946, as against 131,635 in 1937). In the above table, school needs as certified to the assessors are shown as requiring \$20,065,657.49, which is \$2,085,161.87 more than in 1946. This means that the cost of public education provided out of city taxes and revenues has risen to approximately \$213 per pupil. In 1937 it was approximately \$137.

The debt situation, as gleaned from the above table, is not a reliable portrayal of the debt condition at the present time. Because of the authority given the city to use any loan balances for any

purposes for which authority has been given to finance by the issuance of bonds, many capital expenditures have been started on projects the particular bonds for which have not yet been issued, or have been only recently issued. Hence, there is neither interest payment nor serial payment in the 1947 appropriation requirements for many purposes for which loans have been authorized and expense obligation actually incurred.

The overlay deficits provided for in the 1947 tax computations total more than twice the amount which had to be provided for in 1946. Yet it is only the accumulation developed during the 1946 calendar year of the deficits of the years 1937 to 1945 and a sum equal to that amount has, as previously stated, been taken from the "Surplus Revenue" account to offset it.

SUMMARY OF GENERAL APPROPRIATIONS.

	1946.	1947.
County Expenses.....	\$4,259,512 99	\$4,677,382 91
City and Schools.....	78,558,140 23	88,426,458 04
Total City, Schools, County.....	\$82,817,653 92	\$93,103,840 95
State Warrants.....	1,944,238 86	2,509,496 05
Totals.....	<u>\$84,761,892 78</u>	<u>\$95,613,337 00</u>

In the foregoing comparison of total appropriations and warrants, an increase of \$565,258 in state warrants is in marked contrast with a decrease one year ago from the 1945 figure of \$336,500. The trend in the county situation is also upward, the 1947 need being \$417,870 greater

than a year ago. The city portion increased \$10,286,187. The above figures represent the expenditures proposed. There are, of course, revenues and receipts of various kinds from sources other than taxes which offset them to some extent.

CREDITS AND DEDUCTIONS.

	1946.	1947.
Estimated Receipts (Auditor).....	\$9,130,000 00	\$10,000,000 00
Educational Income (Schools).....	2,048,098 61	1,823,466 67
Income Tax (State).....	3,660,760 56	5,490,028 30
Corporation Tax (State).....	2,654,579 70	3,294,574 28
State-Owned Lands (State).....	87,579 95	138,777 31
Motor Excise (City Auditor).....	325,000 00	450,000 00
Old Age (Meals) (State).....	248,138 41	241,250 00
Gasoline Tax.....	843,402 94	843,402 94
Loans (chapter 73, Acts of 1945).....	2,900,000 00	—
Excess Interest Refunded on Tax Title Loans (State).....	6,663 99	—
Poll Tax.....	511,586 00	520,974 00
Chapter 422, Acts of 1947, State-Boston Retirement System....	—	268,976 96
Available Funds (Surplus Revenue Appropriation).....	—	2,386,206 50
Totals.....	<u>\$22,415,810 16</u>	<u>\$25,457,656 96</u>

The figures and items in the above table constitute the incomes and revenues from sources other than 1947 taxes. The total in 1947 is greater by approximately \$3,000,000 than in 1946, which was in turn approximately \$2,500,000 greater than in 1945. It contains no loan item in 1947. In past years that has been usually a substantial amount, borrowed or to be borrowed known as the municipal relief loan for which there was special authorization. It happens that the one responsibility in the tax rate determination assumed by the "Temporary Mayor" was this decision "to pay as we go" in this connection. While the elements which made up the tax rate were determined in advance of his taking office, the question as to whether the city would borrow

on account of relief expenditures was left open to him, and his decision was that the city would not borrow for such purposes in 1947.

This table reveals that the funds to be received from the state have helped materially in the tax rate determination. Under the items "Income Tax," "Corporation Tax," "State-Owned Lands," "Meals Tax," and "Gasoline Tax," it is estimated that the city will receive from the state a total of \$9,766,862.83, which is \$2,520,459.68 higher than the estimate in the 1946 computations. In contrast, the city pays state warrants, as shown in a preceding table, totaling \$2,509,496.05. The differential, being receipt from the state over payment to the state, is therefore \$7,257,366.78.

TAX RATE SUMMARY.

	1946.	1947.
Net Requirements before Adding Overlay.....	\$62,346,082 62	\$70,155,680 04
Overlay { (3.307 per cent for 1947) { (3.50 per cent for 1946) }	2,182,112 58	2,319,726 81
	\$64,528,195 20	\$72,475,406 85
Poll Tax.....	511,586 00	520,974 00
Amount to be raised by Taxation on Real and Personal Property, including Polls.....	<u>\$65,039,781 20</u>	<u>\$72,996,380 85</u>
Assessed Valuation.....	<u>\$1,536,385,600 00</u>	<u>\$1,558,610,900 00</u>
Tax Rate.....	\$42 00	\$46 50

In the above table, the items of particular interest are (1) overlay; (2) assessed valuation. The decision with respect to the overlay has been discussed in an earlier part of this review, and the increase in total valuation has been commented upon also. A further analysis of the assessable valuations follows.

Valuations.

It has been apparent for some time past that the tax rate in 1947 would reach a new altitude unless some new wrinkle could be found to offset the heavily increasing expenditure. The first effort in anticipation of the larger requirements was a second attempt to obtain authority to borrow to raise funds for meeting normal tax requirements. In 1946, the city agents sought, unsuccessfully, authority for a loan of \$10,000,000 plainly marked for expenditure which otherwise would appear in the tax assessments. In 1947, the objective was the same (to keep a large part of the current requirements out of the tax levy temporarily), but the method was to obtain

authority to finance overlay deficits already established and others anticipated. The petition for authorizing legislation was denied consideration in the Legislature because of the general criticism of the assessors which followed Finance Commission revelation of questionable practices in the establishment of the tax rate. The result was that the city gave up the attempt to meet the oncoming tax load, in part, by borrowing. Then the "Surplus Revenue" account, "free cash" (already explained in this review), was discovered and it served to meet a substantial part of the load. However, it was not enough to keep the rate from reaching astronomical figures. The only recourse then was to lift again to a higher level the assessable valuations. As stated, 1946 valuations have been adjusted to a total of approximately \$70,000,000 lower than when the 1946 tax rate was determined. Nevertheless, the total assessable valuations in 1947 have been set, in tax rate figuring, approximately \$90,000,000 higher than this present level of 1946 valuations. Where this increase was determined, by wards, is shown in the following tables.

REAL ESTATE PROPERTY ASSESSED.

WARD.	1946.	1947.	Gain.	Loss.
1.....	\$47,247,400	\$47,697,200	\$449,800	
2.....	39,974,200	39,372,300	—	\$601,900
3.....	444,410,100	450,624,500	6,214,400	
4.....	84,077,300	85,032,800	955,500	
5.....	160,796,900	165,931,400	5,134,500	
6.....	75,427,600	76,943,800	1,516,200	
7.....	25,014,900	25,513,400	498,500	
8.....	23,855,800	24,246,300	390,500	
9.....	25,359,600	25,840,400	480,800	
10.....	20,315,200	18,834,100	—	1,481,100
11.....	25,093,100	25,805,500	712,400	
12.....	29,294,800	29,788,100	493,300	
13.....	22,335,000	22,957,000	622,000	
14.....	42,214,200	42,483,200	269,000	
15.....	20,152,900	20,361,500	208,600	
16.....	32,997,600	33,875,700	878,100	
17.....	32,464,400	32,673,600	209,200	
18.....	45,155,700	46,138,200	982,500	
19.....	31,891,100	32,413,400	522,300	
20.....	47,811,500	48,861,000	1,049,500	
21.....	71,582,700	71,757,400	174,700	
22.....	41,703,200	42,888,300	1,185,100	
Totals.....	<u>\$1,389,175,200</u>	<u>\$1,410,039,100</u>	<u>\$22,946,900</u>	<u>\$2,083,000</u>

PERSONAL PROPERTY ASSESSED.

WARD.	1946.	1947.	Gain.	Loss.
1.....	\$944,500	\$1,117,000	\$172,500	
2.....	737,400	1,035,300	297,900	
3.....	84,608,500	88,152,000	3,543,500	
4.....	1,048,300	570,000	—	\$478,300
5.....	42,921,700	44,132,600	1,210,900	
6.....	7,893,000	2,775,600	—	5,117,400
7.....	528,400	665,500	137,100	
8.....	907,400	1,163,500	256,100	
9.....	795,000	1,112,100	317,100	
10.....	340,100	360,100	20,000	
11.....	435,800	523,900	88,100	
12.....	315,200	388,800	73,600	
13.....	179,000	218,700	39,700	
14.....	615,200	992,900	377,700	
15.....	176,800	213,900	37,100	
16.....	575,800	668,400	92,600	
17.....	318,000	430,100	112,100	
18.....	1,220,700	1,174,400	—	46,300
19.....	565,600	559,200	—	6,400
20.....	542,600	578,000	35,400	
21.....	896,600	1,018,700	122,100	
22.....	644,800	721,100	76,300	
Totals.....	\$147,210,400	\$148,571,800	\$7,009,800	\$5,648,400

TOTAL REAL AND PERSONAL ESTATE ASSESSED VALUATION.

WARD.	1946.	1947.
1.....	\$48,191,900	\$48,814,200
2.....	40,711,600	40,407,600
3.....	520,018,600	538,776,500
4.....	85,125,600	85,602,800
5.....	203,718,600	210,064,000
6.....	83,320,600	79,719,400
7.....	25,543,300	26,178,900
8.....	24,763,200	25,409,800
9.....	26,154,600	26,952,500
10.....	20,655,300	19,194,200
11.....	25,528,900	26,329,400
12.....	29,610,000	30,176,900
13.....	22,514,000	23,175,700
14.....	42,829,400	43,476,100
15.....	20,329,700	20,575,400
16.....	33,573,400	34,544,100
17.....	32,782,400	33,103,700
18.....	46,376,400	47,312,600
19.....	32,456,700	32,972,600
20.....	48,354,100	49,439,000
21.....	72,479,300	72,776,100
22.....	42,348,000	43,609,400
Totals.....	\$1,536,385,600	\$1,558,610,900

ASSESSED NUMBER OF POLLS BY WARDS.

WARD.	1946.	1947.	Gain.
1.....	17,438	17,538	100
2.....	8,034	8,383	349
3.....	18,833	19,319	486
4.....	12,843	13,539	696
5.....	11,504	12,255	751
6.....	8,230	8,462	232
7.....	10,913	11,055	138
8.....	8,573	8,662	89
9.....	10,474	11,094	620
10.....	8,731	8,870	139
11.....	9,446	9,461	15
12.....	12,491	12,657	166
13.....	9,194	9,497	303
14.....	17,583	17,634	51
15.....	8,725	8,781	56
16.....	10,999	10,999	—
17.....	10,766	10,818	52
18.....	14,693	14,805	112
19.....	9,718	9,779	61
20.....	12,453	12,544	91
21.....	13,411	13,532	121
22.....	10,741	10,807	66
Totals.....	255,793	260,487	4,694

The above table of the assessable polls by wards gives indication that many families have left the city in the decentralization exodus. With the end of war and the return of residents from war activities it would normally be expected that the number of polls would show a substantial increase. On the contrary, although the table shows a larger number in every ward but one, the total increase is insignificant. Many families have left Boston voluntarily, and many have been forced by lack of housing to seek shelter elsewhere. Much old housing has been eliminated, notably in the South End, and no replacement made to date to affect the population figure. In respect to the population Boston is unlike most of the larger cities of the country, all of which have been affected by decentralization, but most of which have experienced substantial gains in population, and accordingly, in polls.

Borrowing for City Needs.

Acknowledged borrowing to hold down the tax rate has been blocked in the State Legislature, as mentioned previously. Nevertheless, substantial borrowing without new authority of law has been voted. It served the same purpose. On the plea that capital expenditure during the past five or six years was deferred because of the war, and claiming that the city plant was therefore in need of greater than normal replacement, the administration in 1946 borrowed \$1,500,000 for the purchase of equipment. It helped the taxpayers of 1946 because payment of the loan was spread over several years. Without the loan the funds needed would have been included in the tax levy. Now, in 1947, this method of financing equipment needs has continued, and on a greater scale. The loan in 1947 is \$2,000,000. Every conceivable oppor-

tunity to take items out of the tax budget and charge them to the loan appropriation has been availed of. The departure from the old practice of "paying as you go" is therefore now more emphatic than ever. Nevertheless, it has not appeared that the new practice has relieved the current taxpayers to any extent. The tax levy and the tax rate continue their upward trend; but it has served to keep the rate in the forty-dollar figures rather than in the fifties for the time being.

Summary.

The 1947 tax rate has been established at \$46.50, a new high level which is \$4.50 higher than the 1946 rate. To accomplish it, the assessors have

1. Increased valuations again to a higher level than the original 1946 total, despite the fact that their experience of the last twelve months has shown them that they could not maintain the 1946 total. That has been leveled off about \$70,000,000 already, with more abatements to come.

2. After many years of refusal, have finally been forced to use a part of a bookkeeping account labeled "Surplus Revenue" to reduce the portion of the city's 1947 obligations which normally would be levied.

3. Have reduced the percentage for overlay from 3.5 per cent to 3.3 per cent in the face of a greater need than ever in the overlay account.

The appropriating authorities, the Mayor and Council, have for the second year in succession, now authorized borrowing to meet a substantial part of what was formerly regarded as a tax item, the purchase of equipment used in municipal service maintenance. It means that a substantial

portion of the expenditures by this administration for equipment replacement must be raised by taxation levied in succeeding administrations.

Respectfully submitted,
 EDWARD F. MULLEN, Chairman,
 ALEXANDER WHEELER,
 LEO J. DUNN,
 FREDERICK DEANE,
 The Finance Commission.

ROBERT E. CUNNIFF,
 Secretary.

Placed on file.

APPOINTMENTS BY THE TEMPORARY MAYOR.

Notice was received of the following appointments by the Temporary Mayor:

Earl McMann, 111 Deforest street, Hyde Park, member of Zoning Adjustment Board for term ending April 30, 1949.

Placed on file.

Appointment of Inspector of Housing and Sanitation.

The following was received:

City of Boston,
 Health Department, July 23, 1947.

City Clerk,
 City Hall, Boston, Mass.

Dear Sir,—This is to certify that Walter H^F Dolan, 1792 Columbia road, South Boston, has been appointed as Inspector of Housing and Sanitation for a period of thirty days, at a salary of \$2,000 a year, effective July 23, 1947.

Very truly yours,

JOHN H. CAULEY, M. D., M. P. H.,
 Health Commissioner.

Placed on file.

NOTICE OF HEARINGS.

Notice was received from the State Department of Public Works of hearing to be given Boston Waterways, Inc., on July 29, 1947, at 2.30 p. m., on petition of Boston Waterways for pier, and dredging at East Boston.

Notice was received from State Department of Public Works of hearing to be given Nathan I. Lipson on July 29, 1947, at 10.30 a. m., on license for underground tank for gasoline.

Severally placed on file.

WITHHOLDING TAX ON TEMPORARY EMPLOYEES.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Law Department of the City of Boston to confer with the federal Internal Revenue officials as to the legality of withholding for income tax purposes certain amounts of money from the gross wages of temporary help employed by the City of Boston who earn less than \$500 per year.

Passed under suspension of the rules.

REPAIRS TO OLD ENGINE HOUSE NO. 27.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to seek an opinion from the City of Boston Law Department as to the legality of the city undertaking repairs to the old Engine House No. 27 on Elm street, Charlestown, now under lease to the Disabled American Veterans Post, No. 71.

Passed under suspension of the rules.

HOUSING UNDER SO-CALLED McCARTHY BILL.

Coun. LINEHAN offered the following:

Whereas, The so-called McCarthy bill, which was signed by President Truman recently, provides that the federal government, through its Housing Agency, can guarantee a loan to the Boston

Housing Authority up to the full amount authorized by Congress and, as a result of the excessive cost of building the South Boston and Cathedral sites, said amount of construction costs allowed by Congress can be added to a contribution made by the City of Boston of the amount which is in excess of that allowed by Congress to its Housing Agency; therefore he it

Ordered, That the sum of seven million dollars (\$7,000,000) be, and hereby is, appropriated, to be loaned to the Boston Housing Authority for the construction of low-income housing developments at the Cathedral and South Boston sites, pursuant to the authority granted cities and towns under section 26cc of chapter 574 of the Acts of 1946.

A motion by Councilor Cook to amend the order by striking out "at the Cathedral and South Boston sites," and inserting "on such projects as are acceptable under the so-called McCarthy bill," was carried.

The order as amended by Councilor Cook was given its first reading and passage, yeas 20, nays 0:
 Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Coffey, Cook, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, McCormick, Moriarty, Russo, Scannell, Sullivan—20.

Nays—0.

The order will take its second reading and passage in not less than 14 days.

On motion of Councilor Hannon, the Council referred this order to the Finance Committee for hearing to be held before next meeting.

LOAN OF \$8,000,000 FOR VETERANS' HOUSING.

Coun. LINEHAN called up No. 1 from the Calendar, viz.:

1. Order for loan of \$8,000,000 to provide housing for veterans of World War II.

On July 7, 1947, the foregoing order was read once and passed, yeas 16, nays 0.

The question came on giving the order its second reading and passage.

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

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Coffey, Cook, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, McCormick, Moriarty, Russo, Scannell, Sullivan—20.

Nays—0.

\$2,000,000 LOAN, VETERANS' HOUSING.

On motion of Councilor Hannon, the Council voted to take the \$2,000,000 loan order (referred today) from the Committee on Finance, and, on further motion of Councilor Hannon, the order was read once and passed, yeas 20, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Coffey, Cook, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, McCormick, Moriarty, Russo, Scannell, Sullivan—20.

Nays—0.

On motion of Councilor Hannon, the Council referred this order to Finance Committee for hearing to be held before next meeting.

PUBLIC HEARING ON MIDGET AUTO RACING PETITIONS.

A motion by Councilor Hurley that a public hearing be held was carried, yeas 18, nays 1, present 1:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Hannon, Hurley, Kelly, Kinsella, Lane, Linehan, Madden, McCormick, Moriarty, Russo, Scannell, Sullivan—18.

Nays—Councilor Keenan—1.

Present—Councilor Coffey—1.

Coun. COFFEY announced that the committee would hold the public hearing at 11 o'clock, Thursday, August 7, in the Council Chamber.

SUTCLIFFE TRANSPORTATION COMPANY.

A motion by Councilor Sullivan for a public hearing on the Sutcliffe Transportation Company petition was lost, yeas 7, nays 11:

Yeas—Councilors Carey, Cook, Hannon, Linehan, Madden, Russo, Sullivan—7.
Nays—Councilors Bryan, Cantwell, Coffey, Hurley, Keenan, Kelly, Kinsella, Lane, McCormick, Moriarty, Scannell—11.

A motion by Councilor Cook to reconsider the foregoing vote was lost.

CONSTRUCTION OF VETERANS' MEMORIAL AUDITORIUM.

Coun. LINEHAN, MORIARTY, LANE, COFFEY, COOK and MADDEN offered the following:

Ordered, That his Honor the Mayor request the Trustees of the George Robert White Fund to declare a public hearing for the purpose of considering a City Council order passed on March 24, 1947, and a similar order on June 2, 1947, relative to the construction of a veterans' memorial auditorium, which will provide a living memorial to the City of Boston's departed war heroes which can be kept alive by making provisions for housing war veteran organizations within the building housing the Auditorium.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following report:

On petition of Sutcliffe Transportation Company (referred today) for license to operate motor vehicles from General Logan International Airport to Porter street to Sumner Tunnel to Cross street to Haymarket square to Canal street to Causeway street to North Station, thence along Causeway street through Keany square to Sumner street (South Station) to Dorchester avenue to Congress street to Post Office square to Congress street to Dock square to North street to Sumner Tunnel, with the right to operate in either direction—recommending that license be granted.

The report was accepted.

A motion by Councilor Sullivan that the petition be referred to the Executive Committee and that a public hearing be held by that committee was lost—yeas 6, nays 13:

Yeas—Councilors Carey, Cook, Hannon, Madden, Russo, Sullivan—6.

Nays—Councilors Bryan, Cantwell, Coffey, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Scannell—13.

Present—Councilor Bayley—1.

The license was granted in accordance with the petition—yeas 15, nays 5:

Yeas—Councilors Bryan, Cantwell, Carey, Coffey, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Scannell—15.

Nays—Councilors Bayley, Cook, Madden, Russo, Sullivan—5.

Present—Councilor Bayley—1.

ADJOURNMENT.

On motion of Councilor Sullivan, the Council voted that when it adjourned it be to meet on Monday, August 18, 1947, at 2 p. m.

PRINTING AND DISTRIBUTION OF REVISED ORDINANCES OF 1947.

Coun. HURLEY offered the following:

Ordered, That the City Clerk be authorized to have printed and bound an edition of 1,500 copies of the Revised Ordinances of 1947; the expense to be charged to the Contingent Fund; said edition to be distributed as follows: 10 copies to each member of the City Council, 280 copies to be reserved for distribution under the direction of the City Clerk to the courts, departments, other cities and libraries; the remaining 1,000 copies to be sold

by the City Messenger at the price of \$1 each, and the income received therefor to be paid to the City Collector and credited to General Revenue.

Passed under suspension of the rules.

INSIGNIAS FOR TAXICABS LICENSED IN BOSTON.

Coun. RUSSO and COOK offered the following:
Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to consider the advisability of placing on each taxicab licensed in the City of Boston an insignia stating this fact and also a sign signifying whether the cab is empty or occupied while traveling through the streets of the city.

Passed under suspension of the rules.

RETAIL DELIVERY OF MILK.

Coun. RUSSO offered the following:

Be it ordained in the City Council of Boston as follows:

Chapter 8 of the Revised Ordinances of 1945 prohibiting the retail delivery of milk before 7 a. m. is hereby repealed.

Referred to Committee on Ordinances.

FRANCHISE TAXES ON PUBLIC UTILITIES.

Coun. COOK offered the following:

Whereas, The Supreme Court of the Commonwealth has decided that the Commonwealth has collected taxes from cities and towns illegally with reference to public utilities franchises; therefore he it

Ordered, That the Corporation Counsel of the City of Boston be requested, through his Honor the Mayor, to recover all moneys illegally withheld by the Commonwealth as franchise taxes on public utilities for all the years within which they were illegally withheld.

Passed under suspension of the rules.

MONTHLY REPORTS FROM BOSTON HOUSING AUTHORITY.

Coun. LINEHAN offered the following:

Whereas, Many months have gone by since the City of Boston appropriated ten million dollars for veterans' housing and up to recently no progress reports on the construction of homes for veterans out of this appropriation has been submitted to his Honor the Mayor and members of the Boston City Council; and

Whereas, A constant check or reminder to the Mayor and City Council will call their attention to the speed or delay exercised by the Boston Housing Authority relative to constructing said homes under the veterans' housing program; therefore he it

Ordered, That his Honor the Mayor request the Boston Housing Authority to submit a progress report once a month relative to the construction of said houses under the City of Boston's veterans' housing program.

Passed under suspension of the rules.

CHILDREN'S PLAYGROUND, WARD 13.

Coun. HANNON offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to grade and construct old school property on Summer street at Willis street, Ward 13, for use as a children's playground.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of James E. Coyle (referred July 14, 1947), to be reimbursed as result of execution issued against him on account of his acts as

operator of motor truck belonging to Public Works Department, Sanitary Division—recommending passage of the accompanying order, viz.:

Ordered, That the sum of three hundred fifty dollars (\$350) be allowed and paid to James E. Coyle, 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 on petition of Martin J. McGovern (referred July 7, 1947) to be reimbursed as result of execution issued against him on account of his acts as operator of a motor truck belonging to the Sewer Division, Public Works Department,—recommending passage of the accompanying order, viz.:

Ordered, That the sum of seven hundred fifty dollars (\$750) be allowed and paid to Martin J. McGovern, in reimbursement for amount of execution issued against him on account of his acts as operator of a motor truck belonging to the Sewer Division, Public Works Department, said sum to be charged to the Contingent Fund.

Reports accepted; orders severally passed.

VETERANS' HOUSING SITE IN HYDE PARK.

Coun. CANTWELL offered the following:

Ordered, That his Honor the Mayor be requested to designate and specify for use as the site of a veterans' housing project the land now owned by the City of Boston located in Hyde Park on streets known as Cottage street, Van Blunt street and Wolcott road.

Referred to the Committee on Public Lands.

SIRENS, FIRE DEPARTMENT.

Coun. KEENAN offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to prohibit the use of sirens on fire apparatus after 11 p. m.

Passed under suspension of the rules.

REPAINTING MEMORIAL PLAQUE, BRADLEE AND ALGONQUIN STREETS.

Coun. KEENAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to repaint the World War 2 memorial plaque located on the park reservation at Bradlee and Algonquin streets, in Ward 17.

Passed under suspension of the rules.

SAFETY ISLAND, WELD AND MAPLE STREETS.

Coun. BRYAN 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 Weld and Maple streets, in Ward 20, which is a very dangerous intersection.

Passed under suspension of the rules.

ACCEPTANCE OF COTTAGE AVENUE.

Coun. BRYAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Cottage avenue, from Washington street, Ward 20, as a public highway.

Passed under suspension of the rules.

SHADE TREES AND IMPROVEMENTS TO PARKS.

Coun. MADDEN offered the following:

Ordered, That the Park Commissioner be ordered to plant shade trees around the fringe of macadam parks and expedite the installation of swings, sand boxes, etc.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Hurley, the Council voted at 6.15 p. m. to take a recess, subject to the call of the chair. The members reassembled and were called to order by President KELLY at 6.45 p. m.

ADVERTISEMENT OF PUBLIC HEARING ON MIDGET AUTO RACING.

A motion by Councilor Hurley to amend his motion for public hearing on midget auto racing by adding "that this hearing be advertised in the papers," and that the Clerk of Committees be so notified, was carried.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) for appropriation of \$15,000, to be expended by Department of Public Works, to pay claims for damages approved by Law Department—that same ought to pass.

The report was accepted, and the order was passed, yeas 13, nays 0.

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hurley, Keenan, Kelly, McCormack, Moriarty, Russo, Scannell, Sullivan—13.

Nays—0.

2. Report on message of Mayor and orders (referred today) for transfers of appropriations—that same ought to pass.

The report was accepted, and the orders were passed, yeas 13, nays 0.

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hurley, Keenan, Kelly, McCormack, Moriarty, Russo, Scannell, Sullivan—13.

Nays—0.

3. Report on message of Mayor and order (referred today) for construction of structure over sewerage works at 26 Bowman street, Dorchester—that same ought to pass.

The report was accepted. On motion of Councilor Hurley the order was laid on the table.

4. Report on message of Mayor and order (referred today) for acceptance of chapter 542, Acts of 1947, relative to transfer of lands to White Fund—that same ought to pass. The report was accepted and the order passed.

5. Report on petition of Lucille A. Payne (referred today) for minor's license for newsboy—recommending reference to committee on Public Safety.

The report was accepted, and said reference ordered.

On motion of Councilor Russo, the Council adjourned at 6.50 p. m., to meet on Monday, August 18, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 18, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Bayley, Coffey and Scannell.

The meeting was opened with the salute to the Flag.

JURORS DRAWN.

Jurors were drawn, Councilor Chase presiding at the box, in the absence of the Mayor, viz.:

Four grand jurors, Superior Criminal Court, to appear September 3, 1947:

Irving Miller, Ward 12; Rubin Silverman, Ward 14; Richard A. Topbam, Ward 18; Richard A. Towns, Ward 21.

APPOINTMENTS BY THE MAYOR.

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

Constables, for the term ending April 30, 1948, authorized to serve civil process upon filing of bond: William C. Bowles, 63 Coleman street, Dorchester, Mass.; Philip Scannell, 90 Homer street, East Boston, Mass.; John Andrew D'Arcy, 11 Adelaide street, West Roxbury, Mass.

Weighers of Goods, for the term ending April 30, 1948: Frederick A. Bigwood, 4386 Washington street, Roslindale, Mass.; Charles O. Boynton, 217 Washington street, Marblehead, Mass.

Severally referred to the Committee on Constables and Confirmations.

LANDING AT CHARLES RIVER BASIN.

The following was received:

City of Boston,

Office of the Mayor, August 5, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Metropolitan District Commission relative to your order of July 14, regarding roping off to make safe the landing at the foot of Dartmouth street at the Charles River Basin.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

Commonwealth of Massachusetts,
Metropolitan District Commission,
20 Somerset Street, Boston.

August 4, 1947.

Dear Mr. Mayor,—The Commission acknowledges receipt of your memorandum of July 22 with the accompanying copy of an order of your Honorable City Council asking that the landing on the Storrow Memorial Embankment at Dartmouth street be "roped off or made safe."

The embankment is maintained by the Commission as a water front park, there are six other landings along it in addition to the one at Dartmouth street and no special hazards exist at Dartmouth street that could be particularly considered as uncommon to the other landings or that are not basically inherent in this kind of recreational development.

The end result in attempting to solve problems of this character, if carried to logical conclusions, would be a barricade at the water's edge the entire length of the embankment.

Very truly yours,

NELSON CURTIS, Secretary.

Placed on file.

INVESTIGATION OF BUILDING AT 141 MILK STREET, BOSTON.

The following was received:

City of Boston,

Office of the Mayor, August 11, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the City of Boston Fire Commissioner and City of Boston Building Commissioner relative to your order of July 7, 1947, concerning the investigation by both the above departments concerning structural and fire egress conditions of the building located at 141 Milk street in the City of Boston.

Respectfully,

J. B. HYNES,
Temporary Mayor.

City of Boston,

Building Department, August 7, 1947.

Hon. John B. Hynes,

Temporary Mayor of Boston.

Dear Mayor Hynes,—Attached is the report of the examination made by our inspectors in response to a City Council order dated July 7, 1947, regarding the building at 141 Milk street, Ward 3.

With the exceptions noted in the report, conditions in the building appear to meet legal requirements.

I am enclosing also a report from the Fire Department concerning their examination of the premises.

Very truly yours,

JOHN J. MAHONEY,
Building Commissioner.

July 16, 1947.

August 4, 1947.

To John J. Mahoney, Commissioner, Building Department.

From James R. Cass, Inspector, Egress Division.
Nicholas D. Corsano, Inspector, Egress Division.

M. J. Caddigan, Inspector, Construction Division.

Subject: 141 Milk Street, Ward 3.

Dear Sir,—In accordance with your instructions we have examined the above premises and report as follows:

This is an eleven-story, Type I, building, occupied for office purposes. Five floors are used by the Federal Government and portions of two other floors.

The fire extinguishing apparatus consists of three standpipes and approximately 150 feet of 2½-inch hose on each floor; four SA extinguishers on each floor and sprinklers in the basement of the annex. Some of the hose is in poor condition.

Aggregate egress widths: stairways 9 feet 0 inches above first floor; fire escapes, 5 feet 0 inches.

There are exit and directional signs on each floor. (Painted.)

We make the following recommendations:

1. Main exit doors, Milk, Oliver and Battery-march streets, must open in direction of exit travel and must have approved hardware.
2. Doors to front stairwell should be equipped with approved hardware and one door on second floor should be reversed.
3. Stairs over 36 inches in width should be railed on both sides.
4. Exit signs with lettering 5 inches in height required for doors to annex fire escape.
5. Cantilever should be put in proper condition.
6. Replace door in No. 3 opening in basement, annex.
7. Paint room in basement should be relocated, or, provided with proper fire resistance.

JAMES R. CASS, Inspector.

NICHOLAS D. CORSANO, Inspector.

I concur in the above report. From a structural standpoint, the building upon examination, reveals no defects.

M. J. CADDIGAN, Inspector.

Boston Fire Department.

July 21, 1947.

From Fire Prevention Division.

To the Fire Commissioner.

Subject: Inspection Report.

Re Collector of Internal Revenue,
United States Treasury Department,
141 Milk Street, Boston, Mass.

In accordance with instructions inspected the premises situated at the above location occupied

by the Collector of Internal Revenue, United States Treasury Department.

The building in question is of Type I construction, eleven stories, owned by Amory Elliot Offices, 131 State street, Boston, Mass.

It appears that the first, second, third, fourth, fifth, sixth and seventh floors and basement are occupied wholly or in part by the Treasury Department.

Personnel varies from seven hundred and seventy to nine hundred employees.

Watchman service is provided by the owners of the building, period from 6 p. m. to 7 a. m. It was observed that no watchman time units were installed.

Entrance to the building may be made at 141-145 Milk street, 8 Oliver street and 35 and 37 Batterymarch street.

Elevators, five at 141 Milk street enclosed (at first floor only); two at Batterymarch street, unenclosed.

Stairways, three provided, one enclosed, two open construction.

Fire escapes, two, terminating to inner courtyard by means of cantilever ladder.

Source of heat, steam. Light, electric.
Fire appliances: Enclosed standpipes, three; gated valve outlet having 100 feet (approximately) 2-inch hose attached, straight and control nozzles attached. Three of such outlets in corridors of each floor. Hose in dilapidated condition at several locations. Fire extinguishers, three soda-acid type installed in corridors of each floor. Recharging date July 14, 1947.

Exit signs printed on exits and walls, red lettering on light background.

Building not equipped with an automatic alarm and sprinkler system. (Basement of annex provided with sprinklers.)

Various floors used for the storage of income tax forms and returns, same kept in wooden and metal cabinets.

It appears that the means of exit from restaurant in basement is inadequate.

It further appears that the three stairways now provided would not serve the purpose of hasty exit for the large number of employees in the event the elevators were out of commission.

It is advised that electric illuminated signs be installed at all exits and wall markings in large lettering as to the direction of such exits.

Recommend that the standpipe system and hose attached thereto be tested as to efficiency in case of fire.

It is further advised that paint storage room in basement be protected with fire door and glass window be wired glass.

In addition, installation of an automatic alarm and a sprinkler system is advisable.

Recommend that a diagram showing the approach and means of exit from the various floors be installed under glass in each room where personnel is employed.

Respectfully submitted,
WALTER F. REDDINGTON, Lieutenant.

Additional comment by Deputy Chief Montgomery, August 4, 1947, has been included.

Placed on file.

SHADE TREES AND IMPROVEMENTS TO PARKS.

The following was received:

City of Boston,
Office of the Mayor, August 13, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department relative to your order of August 4, 1947, regarding the planting of shade trees around the fringe of macadam parks and expedite the installation of swings, sandboxes, etc.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, August 12, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—The hard surfaced children's playground at Oak square, Brighton, was built near the end of the war. At that time materials for construction were very scarce. Trees planted at

that time, without suitable tree guards, which at that time were unobtainable, would not have survived. A little better condition is now found in the wire and iron market.

Tree pits will be dug and filled with loam very shortly and the trees will be planted this fall. At other locations where there are hard surfaced playgrounds, where trees were not planted due to war conditions, or are in dire need of shade, immediate consideration will be given.

This department expects to receive a delivery of playground equipment very soon.

Respectfully yours,
JOHN J. MURPHY,
Deputy Commissioner.

Placed on file.

CHILDREN'S PLAYGROUND, WARD 13.

The following was received:

City of Boston,
Office of the Mayor, August 13, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department relative to your order of August 4, 1947, concerning the grading and construction of the old school property on Sumner street at Willis street, Ward 13, for use as a children's playground.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, August 12, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—The lot of land at Sumner and Willis streets, Dorchester, was formerly the location of the old Edward Everett School. It was turned over to the department on April 29, 1947. It is a three level lot. It is in the heart of a residential district where a children's playground could be of much value.

The upper playground has an asphalt surface which is in fairly good condition. There is a swing shelter on this level. The shelter is in fair condition. The second level is of asphalt in fair condition. The lower level is in poor condition. The lower level should be surfaced with an asphalt pavement.

I estimate the cost of the reconstruction of the area and to make it into a children's playground, as follows:

Grading and excavating.....	\$500
Asphalt pavement.....	1,000
Repairs to steps.....	700
Repairs to shelter.....	600
New seats.....	600
New fencing and repairs to fences.....	2,000
Wall repairs.....	600
Trees and tree pits.....	400
Water supply, drainage and drinking fountain.....	800
Playground equipment.....	1,000
	<hr/>
	\$8,200

The reconstruction of this area is one that would have to be undertaken by a construction contractor. There is no appropriation or nothing in the budget for this work.

Respectfully yours,
JOHN J. MURPHY,
Deputy Commissioner.

Placed on file.

REPAINTING MEMORIAL PLAQUE, BRADLEE AND ALGONQUIN STREETS.

The following was received:

City of Boston,
Office of the Mayor, August 13, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department relative to your order of August 4, 1947, regarding the repainting of the memorial plaque at Bradlee and Algonquin streets, Ward 17.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, August 11, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—The memorial plaque located on Park Department land at Bradlee street, Dorchester, was erected and paid for by private funds or donations from the residents and organizations in this area. It contains the names of all those who served in the armed forces of World War II who came from that section of Dorchester. It has been maintained by private parties or outside organizations. There are many such memorial boards in different sections of Boston, privately built, financed and maintained.

The only memorial board, or plaque, erected and maintained by the city is on Boston Common. Privately built and financed boards, or plaques, were erected during the war period by well-meaning citizens in local sections. They were never in any scheme of the city for permanent or even temporary recognition to those who served or died in the last war.

Under the circumstances, in my opinion, any city maintenance of such structures would have to be done to every one of them in almost every section of the city.

The present board needs to be repainted and re-lettered. Considering the precedent that would be established if the board on Bradlee street were singled out to be maintained by the city, I feel it might be unlawful, or at least unwise, to take over the maintenance of this or any other privately built memorial plaque.

Respectfully yours,

JOHN J. MURPHY,
Deputy Commissioner.

Placed on file.

SIRENS, FIRE DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, August 18, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Fire Department relative to your order of August 4, 1947, concerning the prohibiting of the use of sirens on fire apparatus after 11 o'clock p. m.

Respectfully,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Fire Department, August 15, 1947.
Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—Reference is made to your letter of August 6 with attached order from the City Council, dated August 4, 1947, which requests the Fire Commissioner to prohibit the use of sirens on fire apparatus after 11 p. m.

Attention is called to paragraph 3 of Special Order No. 95, copy attached, which covers changes in department regulations pertaining to the use of bells and sirens on apparatus.

Very truly yours,

RUSSELL S. CODMAN, JR.,
Fire Commissioner.

August 14, 1947.

From the Acting Chief of Department.

To the Deputy Chiefs.

Subject: Rules and Regulations of the Boston Fire Department Adjustments.

The following adjustments in Rules and Regulations are hereby announced:

I. Strike out Rule 161; substitute the following: Rule 161. When fire apparatus approaches the intersection of streets, where traffic signal lights are located, the driver shall abide by the State statute, which, insofar as fire department apparatus is concerned, contains the following:

A driver of fire apparatus while going to a fire or responding to an alarm, may drive such apparatus through an intersection of ways contrary to any traffic signs or signals regulating traffic at such intersection if he first brings such apparatus to a full stop and then proceeds with caution and due regard for the safety of persons and property, unless otherwise directed by a police officer regulating traffic at such intersection.

II. Strike out Rules 179 and 180; substitute the following:

Rule 179. Speed of apparatus, in responding to an alarm of fire must be consistent with safety, good judgment, and traffic conditions. Condition and type of apparatus must be considered. In covering other quarters on multiple alarms, and, in returning from fires, the rate of speed must conform with the speed limits prescribed by the State Registry of Motor Vehicles, which states that: (a) Speed shall not be greater than is reasonable and proper, having regard to traffic and the use of the way and the safety of the public. (b) Speed outside a thickly settled or business district shall not exceed thirty miles per hour for the distance of a quarter of a mile. (c) Speed inside a thickly settled or business district shall not exceed twenty miles per hour for the distance of one eighth of a mile. (d) Speed in any place where the operator's view of the road traffic is obstructed either upon approaching an intersecting way or in traversing a crossing or intersection of ways, or in going around a corner or a curve in a way, shall not exceed fifteen miles per hour. Company commanders shall be held responsible at all times for the enforcement of this rule.

III. Strike out Rule 187; substitute the following:

Rule 187. To guard against accidents, bells or sirens shall be sounded with a frequency compatible with conditions en route. These signals shall be dispensed with, when consistent with safety, in the immediate vicinity of hospitals, theatres, churches or places of a public character when people are likely to be assembled there. Discretion shall also be exercised when passing through hotel and residential sections late at night.

Placed on file.

EXCHANGE OF LANDS WITH THE COMMONWEALTH OF MASSACHUSETTS.

The following was received:

City of Boston,
Office of the Mayor, August 12, 1947.
To the Honorable City Council.

Gentlemen,—In 1928 the City of Boston leased from the Commonwealth of Massachusetts a parcel of state-owned land and flats containing approximately 131 acres situated on the southwesterly shore of East Boston in Boston Harbor. Upon these shore acres was established the Boston municipal airport and the central and parent parcel of the present vast area now known as the General Edward Lawrence Logan Airport.

The City of Boston established, developed, enlarged, maintained and operated this municipal airport through the years 1928-1941 and in this latter year through enactment of legislation, chapter 695, Acts 1941, and by an order passed in City Council, October 27 and November 10, 1941, and approved by the Mayor, November 12, 1941, transferred to the Commonwealth of Massachusetts this airport, including the original leased acreage plus the additional areas acquired and developed by the city.

The Commonwealth of Massachusetts from 1941 to the present day has developed, operated and maintained this airport. In the process of its development the Commonwealth has acquired vast areas of upland and tidal lands adjacent to and surrounding our former municipal airport. Surrounded by the additional lands acquired for airport purposes, but not included therein by the state are situated two park and playground areas owned by the City of Boston, World War Memorial Park and William Amerena Playground. Both of these parcels of city-owned property are situated within the proposed enlargement of the airport.

In 1945 the Legislature through the enactment of chapter 383, Acts 1945, authorized the Department of Public Works of the Commonwealth of Massachusetts and the City of Boston to enter into an agreement whereby the City of Boston would agree to exchange the lands known as World War Memorial Park and the William Amerena Playground to the Commonwealth and the State Department of Public Works would agree to acquire lands and construct a recreation area or areas including grading, construction of suitable build-

ings, playgrounds and appurtenances thereon and would further agree to exchange such lands to the city.

In the same year 1945, the General Court by the passage of chapter 47, Resolves 1945, authorized and directed the State Planning Board to investigate and report on park, beach and recreational facilities in East Boston. The State Planning Board in its report to the General Court of Massachusetts dated March 1, 1946, reported in part, as follows:

"In accordance with said resolve and order the State Planning Board submits herewith its final report.

"The resolve directs attention to the subject matter of House Bill No. 395 of 1945, which called for acquisition of and development by the Metropolitan District Commission for park and recreational purposes of certain property in the East Boston district. The project described by the bill would place the proposed park facilities along the former location of the Boston, Revere Beach and Lynn Railroad, between Maverick street and Orient Heights. For several reasons this location would not be feasible. First, the portion of the old right of way between Porter Street and Harbor View would be contained in areas being taken for the Logan International Airport development. Obviously no park and recreation area could be laid out traversing practically the entire width of the airport; second, the remaining right of way between Harbor View and Orient Heights is to be used for rapid transit purposes when the proposed extension from Maverick Square station is built. That portion of said extension between Maverick Square and Day Square was authorized by chapter 692 of the Acts of 1945.

"As a result of conferences with the State Planning Board and officials of other departments involved, the petitioner under House Bill No. 395 has agreed that the above objections are well founded. It is the Board's understanding that the petitioner's chief aim was toward the general improvement of recreational facilities for the district rather than strict adherence to the proposal for the development of a specific location as proposed by the bill. Accordingly the Board, acting under a broad interpretation of the intent of the resolve (chapter 47), has directed its attention to a study of the over-all requirements for the district, with particular attention to the replacement of World War Memorial Park and the Amerena Playground.

"Chapter 383 of the Acts of 1945 provides that if the Commonwealth takes for airport purposes the recreational area known as World War Memorial Park or any other existing playgrounds they shall be replaced by substitute areas by the State, subject to the approval of the City of Boston. It appears to be necessary to take two such areas for the development of the airport,—namely, World War Memorial Park and the Amerena Playground.

"World War Memorial Park, formerly known as Wood Island Park, is a promontory containing approximately 55.6 acres located on the present southerly shore of East Boston. Its topography is of a somewhat rolling character, partially wooded and with a beach approximately 2,000 feet in length. The park contains two baseball diamonds, a quarter-mile track, field house, bath house, and various open play areas. A considerable amount of the area is available for picnicking and other activities. The beach, however, has afforded bathing only at high tide, and is not available at other times because of exposed mud flats. For the duration of the war a considerable portion of the park has been used by military forces.

"Amerena Playground, located near the Jeffries Point section on Porter Street, contains approximately 3.6 acres and has a small field house. It is the largest playground in that part of East Boston. This area also will be taken by the State for airport purposes.

"An investigation of East Boston's population distribution indicates that neither World War Memorial Park nor Amerena Playground is so located as to best serve the people of the district. World War Memorial Park is located at the foot of Neptune Road, a parkway type roadway running from Day Square to the park. This area is, in fact, one of the most sparsely built-up

sections in East Boston. The bulk of East Boston's population is located in the upper or westerly end of the district.

"From the standpoint of convenience to the people to be served, the substitute area to take the place of World War Memorial Park should be located west of Day Square. This, however, is not feasible because all of that section is solidly built up. There are several small playgrounds adjoining school yards scattered throughout the district, but these could not be enlarged without considerable takings of residential property. In like manner no opportunity for substitution for the Amerena Playground exists in the Jeffries Point section without resorting to property takings. The Planning Board is reluctant, particularly under present housing conditions, to propose any plan which would require the taking of residential property in order to provide for recreational areas.

"In the opinion of the Planning Board the solution rests not in attempting to duplicate World War Memorial Park, but in providing more recreational facilities in the western end of the district where they are most needed, and in providing a suitable beach as near as possible to the World War Memorial Park beach.

"Members of the Board's engineering staff have for some time been engaged in the study and design of the Logan International Airport surface approaches, both by highway and rapid transit, in cooperation with the State Department of Public Works, the Post-War Highway Commission, the Metropolitan Transit Recess Commission, the Boston Transit Department, and the City Planning Board. The proposed designs of these two facilities incorporate a traffic interchange and rapid transit station near the intersection of Porter and Orleans Streets within the airport limits. The approach roadway layout at this point is designed as a two-level arrangement with long radius directional curves resulting in a space of several hundred feet in width between the inbound and the outbound airport roadways. This roadway spacing will provide an area of approximately thirteen acres which can be made available for recreational purposes. Within this area, which will be surrounded by the airport roadways and partly surmounted by the overhead highway, can be placed a play field of excellent layout and capacity. Preliminary plans have been drawn showing two full-size baseball diamonds, quarter-mile track, football field, soccer field, two softball diamonds, six tennis courts, field house, swimming or wading pool, and small children's game and play areas. There is also room for the erection of bleachers seating approximately 5,000 spectators. Such a field could be built for approximately \$350,000. It would provide ample play facilities for sections of East Boston where they are most needed.

"Several schemes for the World War Memorial Park substitution have been suggested. One of these, Scheme 'A' on the accompanying map, would be in effect a relocation and duplication of the park about 2,100 feet easterly of its present location, or 800 feet farther away from Day Square, with a boulevard approach to be provided by the extension of Neptune Road. The location suggested, however, for its major part would be located under the approach zones of one of the proposed airport runways. In the opinion of the Planning Board such an arrangement could not be entirely satisfactory, as the frequent passage of low-flying planes over a recreational area would not be conducive to full enjoyment of the facilities. Furthermore, this suggested layout could not be accomplished without a substantial taking of residential properties in the Harbor View section. It is estimated that this scheme would cost \$1,510,000.

"There is available, however, a stretch of water front which will lie entirely outside of all approach zones, and would at the same time be easily accessible from Bennington Street, the main highway through East Boston to Orient Heights. It is land being taken by the State for the airport, consisting mostly of flats and involves no improved property.

"It is indicated as Scheme 'B' on the map. Approximately twenty-three acres could be produced by filling, affording an opportunity for 2,600 feet of beach, a bath house, one baseball diamond, and small children's play areas. It could be built at a cost of approximately \$685,000.

"As a compromise between Scheme 'A' and Scheme 'B,' it might be possible to devise a plan which would incorporate some of the features of both by adopting a layout similar to Scheme 'C' shown on the map. This layout, containing thirty-four acres, would embody the crescent-shaped beach of Scheme 'A,' but would move the play area clear of the approach zone and at the same time provide a beach similar to Scheme 'B.' This layout could be further developed in the future if desired by extending the boulevard from Neptune Road past the beach to Bayswater Street, and thence along the water front, through the Belle Isle Inlet and across the lowlands to connect with Winthrop Avenue at Beachmont as shown by Scheme 'D.' It is estimated that Scheme 'C' would cost \$920,000.

"The beach provided by either of these schemes would front upon a bay which would be in part created by the dredging and filling of the airport. This area, as in the case of Wood Island Park, has not up to now provided healthful bathing conditions because of pollution caused by sewer discharges.

"The question of the pollution of the tidal waters about East Boston, and particularly those north of the airport, due to the overflow of sewage, is an important factor in the construction of any public bathing or recreational area in this region. The sewerage system of East Boston is constructed on the combined plan for the removal of domestic sewage and limited amounts of storm water, but at time of rainfall and when snow is melting rapidly sewage overflows at various points about East Boston. The present North Metropolitan main sewer extends from the East Boston pumping station of the Metropolitan District Commission at Chelsea Creek across Belle Isle Inlet, where it is in the form of an inverted siphon, through Winthrop to an outlet in deep water just south of Deer Island. At the present time the Metropolitan pumping station at Deer Island is not capable of removing all of the sewage which might be pumped to the sewer described at East Boston.

"The new North Metropolitan relief sewer which now leads to the East Boston pumping station is at a comparatively low elevation, and, while this sewer is used only as a relief sewer for the removal of storm water and sewage at times of storm, some of this sewage is pumped into the present North Metropolitan outfall sewer in greater quantities than the Deer Island pumping station is able to handle; hence, the sewage must overflow from this main sewer at such times. This overflow occurs at the Belle Isle Inlet crossing, which is at the easterly extremity of East Boston at the line between East Boston and Winthrop. Any sewage overflowing at this point would flow into the tidal waters inside and northeast of the airport and in the general vicinity of an otherwise favorable location for a recreational area for East Boston. In addition sewage now overflows and must continue to overflow into Chelsea Creek until the North Metropolitan relief sewer is extended to Deer Island. There also are various overflows on the sewers in East Boston which discharge into the inner harbor; hence, the tidal waters in the vicinity of East Boston are now seriously polluted, not only with sewage but with oily and other wastes, especially at times of storm.

"Under special act of the Legislature, works are now being designed for more adequate pumping facilities at Deer Island and for the treatment of the sewage, and there are bills before the Legislature providing for an investigation for the extension of the new relief sewer between East Boston and Deer Island.

"Representatives of the Department of Public Health have stated that none of the tidal waters in the vicinity of East Boston are now satisfactory for public bathing purposes, and while these conditions will be corrected in due course, and while it is probably permissible to proceed with the construction of recreational facilities, it would seem inadvisable to actually construct bathing facilities in the tidal waters in this vicinity under present conditions.

"Consideration has been given to the construction of artificial bathing places in East Boston where water from the municipal supply would be used for bathing. Engineers of the Department of Public Health have reported that it is practicable to construct such bathing

facilities and that they can be maintained in a satisfactory condition.

RECOMMENDATIONS.

"1. That the recreation area in the airport approach interchange near Porter Street be immediately built at an estimated cost of \$350,000.

"2. That the compromise plan 'C' be authorized at an estimated cost of \$920,000, construction to be contingent upon the proper sewerage construction to eliminate pollution.

"3. That while the recommendations of this report seem to fulfill the State's obligation regarding replacement of recreational facilities taken for the airport, there still exists considerable playground deficiencies in the upper section. This should be the subject of further study by the Boston City Planning Board and the Boston Park Department."

The Legislature after consideration of the State Planning Board report enacted chapter 516, Acts 1946, entitled "An Act Providing for the Construction by the Department of Public Works of Certain Recreation Areas in the East Boston District of the City of Boston." This statute authorizes and directs the State Department of Public Works, provided the City of Boston and the Commonwealth of Massachusetts enter into the agreement for the exchange of lands set forth in section 3, chapter 383, Acts 1945, to construct a recreation area in the so-called airport approach exchange near Porter street as recommended by the State Planning Board in its special report and further authorized and directed the State Department of Public Works to construct the said recreation area designated as "Scheme C" in the special report of the State Planning Board.

I have recently conferred with representatives of the State Department of Public Works who inform me that this department is ready to proceed under the authorization and direction of the legislative mandate for the construction of the two recreation areas described in the State Planning Board report but that as a necessary precedent to commencement of the proposed projects by their department is the agreement for the exchange of lands between the Commonwealth and the city as required by the provisions of chapter 383, Acts 1945, and chapter 516, Acts 1946. The representatives of the State Public Works Department further inform me that in the present expansion and development of the airport it is not intended to utilize World War Memorial Park and that until such time as this land is essential to the airport the city may continue to use World War Memorial Park for park and playground purposes.

I present to you herewith an order whereby your Honorable Body may grant the necessary authorization to enable and effectuate the exchange of lands by and between the Commonwealth of Massachusetts and the City of Boston and thereby permit the State Department of Public Works to proceed with the construction of the proposed recreational areas. I request your consideration and passage of the accompanying order.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Whereas, in section 3, chapter 383, Acts 1945, "An Act Directing the Department of Public Works to Make Provision for the Continued Development of the General Edward Lawrence Logan Airport at East Boston," it is provided:

"Section 3. If the use of any lands owned by the City of Boston and held for any purpose specified in chapter forty-five of the General Laws is necessary for the purposes of said airport, the department and said city are hereby authorized to enter into an agreement exchanging such lands for other lands to be acquired by the department, on which the department shall construct a recreation area or areas to be approved by said city, and the department is further authorized to take by eminent domain under chapter seventy-nine of the General Laws, or otherwise acquire, the necessary lands or rights therein for the construction of the recreation area or areas, and do the necessary grading and construct suitable buildings and playgrounds and appurtenances therefor"; and

Whereas, in chapter 516, Acts 1946, "An Act Providing for the Construction by the Department

of Public Works of Certain Recreation Areas in the East Boston District of the City of Boston," it is provided:

"The department of public works, in carrying out the duties imposed upon it by section three of chapter three hundred eighty-three of the acts of nineteen hundred and forty-five and subject to the provisions of said section three relative to the making of an agreement by said department and the city of Boston, is hereby authorized and directed to construct a recreation area in the so-called airport approach exchange near Porter street in the East Boston district of the city of Boston, as recommended by the state planning board in its special report to the general court, printed as current house document numbered sixteen hundred and four, and is hereby further authorized and directed to construct in said East Boston district the recreation area recommended by said planning board in its said report and referred to therein as 'Scheme C.' For the purpose of carrying out the provisions of this act, said department may expend sums not exceeding in the aggregate, one million three hundred thousand dollars, which shall be paid from the funds provided by section four of said chapter three hundred and eighty-three. Said recreation areas shall, upon their completion, be maintained by the park department of the city of Boston"; and

Whereas, The City of Boston owns in fee approximately 55.6 acres of upland and 30.4 acres of flats situate on the southeasterly shore of East Boston adjacent to the General Edward Lawrence Logan Airport. This area of land and flats now known as World War Memorial Park was acquired by the City of Boston for public park purposes by purchase in accordance with the provisions of orders of the Board of Park Commissioners of the City of Boston passed November 21, 1882, and June 26, 1891; and

Whereas, The City of Boston owns in fee approximately 3.63 acres of land bounded by Porter, Wellington, Gove and Geneva streets, East Boston. This parcel of land, known as the William Amerena Playground, was taken for public playground purposes under an order of the Board of Street Commissioners passed May 22, 1925, and approved by the Mayor of the City of Boston May 25, 1925; and

Whereas, The Commonwealth of Massachusetts owns in fee approximately 13 acres of land within the limits of the General Edward Lawrence Logan Airport at the so-called airport approach exchange near Porter street, East Boston; and

Whereas, The Commonwealth of Massachusetts owns in fee approximately 34 acres of land and flats situated on the southerly side of Bennington street near Saratoga street, East Boston; and

Whereas, The State Planning Board of the Commonwealth of Massachusetts as authorized and directed by the provisions of chapter 47, Resolves 1946, prepared and filed with the General Court a report relative to recreational facilities in the East Boston district of Boston known as House Document No. 1604, 1946; and

Whereas, The Department of Public Works of the Commonwealth of Massachusetts was authorized and directed by the provisions of chapter 516, Acts 1946, hereinbefore referred to, and subject to the provisions of section 3, chapter 383, Acts 1945, hereinbefore referred to, to construct a recreation area on that area of land at the airport approach exchange near Porter street as recommended in the report of the State Planning Board hereinbefore referred to; and

Whereas, The Department of Public Works of the Commonwealth of Massachusetts was further authorized and directed by the provisions of chapter 516, Acts 1946, hereinbefore referred to, to construct the recreation area recommended and referred to as "Scheme C" in the report of the State Planning Board, hereinbefore referred to; and

Whereas, It is the intent of the Commonwealth of Massachusetts and of the City of Boston that the legal requirements necessary to enable and to effectuate the exchange of lands by and between the Commonwealth of Massachusetts and the City of Boston be complied with in order that the recreation area to be located at the airport approach exchange near Porter street and the recreation area to be located near Bennington street designated as "Scheme C" as described in the State Planning Board report hereinbefore re-

ferred to, may be constructed by the Commonwealth of Massachusetts as soon as practicable; now, therefore, it is hereby

Ordered, That his Honor the Mayor or the Temporary Mayor of the City of Boston be, and he hereby is, authorized and directed to enter into, to execute, to deliver, to receive and to receipt for in the name and behalf of the City of Boston any instrument or instruments which may be necessary to enable and to effectuate the construction by the Commonwealth of Massachusetts of the recreation area to be located at the airport approach exchange near Porter street and of the recreation area designated as "Scheme C," hereinbefore referred to, to be located near Bennington street, and his Honor the Mayor or the Temporary Mayor of the City of Boston, be and he hereby is, authorized and directed to enter into, to execute, to deliver, to receive and to receipt for in the name and behalf of the City of Boston any instrument or instruments which may be necessary to enable and to effectuate the exchange of the following described parcels of land by and between the Commonwealth of Massachusetts and the City of Boston in accordance with the provisions of section 3, chapter 383, Acts 1945, and chapter 516, Acts 1946:

A. Lands to be exchanged by the Commonwealth of Massachusetts:

1. Approximately 13 acres of land, together with the recreation area, buildings, playgrounds and appurtenances therefor, constructed thereon within the limits of the General Edward Lawrence Logan Airport, airport approach exchange, near Porter street, East Boston; and

2. Approximately 34 acres of land and flats together with the recreation area, buildings, playgrounds and appurtenances therefor, constructed thereon, situated on the southerly side of Bennington street near Saratoga street, East Boston.

B. Lands to be exchanged by the City of Boston:

1. World War Memorial Park, East Boston, containing approximately 55.6 acres of upland and 30.4 acres of flats.

2. William Amerena Playground, Geneva street, East Boston, containing approximately 3.63 acres of land.

Referred to Committee on Public Lands.

TRANSFERS OF APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, August 18, 1947.
To the City Council.

Gentlemen,—The enclosed requests for transfers of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,

JOHN B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Park and Playground Improvements, Etc., \$750, to the appropriation for Park Department, B-29, Stenographic and Copying, \$750.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Park and Playground Improvements, Etc., \$15,000, to the appropriation for Park Department, B-39, General Repairs, \$15,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Park and Playground Improvements, Etc.,

\$750, to the appropriation for Park Department, D-1, Office, \$500; D-5, Medical, Surgical, Laboratory, \$250.

Referred to Executive Committee.

SUNDAY BAND CONCERTS.

The following was received:

City of Boston,

Office of the Mayor, August 18, 1947.

To the City Council.

Gentlemen,—I submit herewith an order providing for the appropriation of eighteen hundred dollars (\$1,800) from the Contingent Fund to cover the city's share of the cost of a series of four band concerts now being held on Sunday afternoons at Jamaica Pond, Franklin Park, Marine Park in South Boston, and World War Memorial Park in East Boston. These four locations are the only park areas where permanent bandstands are available. Under an arrangement with the Musicians' Union, the first two concerts in the series are to be paid for by the city and the final concerts are to be donated by the union. I am informed that it is fifteen years or more since Sunday public band concerts have been conducted as a Park Department activity. It should be possible to determine from the attendance at the concerts now being provided whether this type of public entertainment and recreation still retains an appeal to the public sufficiently strong to warrant its continuance in subsequent years. I respectfully recommend adoption of the accompanying order by your Honorable Body.

Respectfully,

JOHN B. HYNES,
Temporary Mayor.

Ordered, That a sum not in excess of eighteen hundred dollars (\$1,800) be authorized to be expended from the Contingent Fund to meet the city's share of conducting public band concerts on Sunday afternoons.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Arthur F. Anderson, for compensation for damage to car by car of Police Department.

Frank J. Bowen, for compensation for damage to property at 60 Calumet street, caused by bursting of water main.

Rose J. Domin Brown, for refund of dog license fee.

Rocco L. Cammarata, for compensation for damage to car by fire engine.

James A. Carr, for compensation for loss of clothing at City Hospital, while patient.

John L. Cullen, for compensation for loss of clothing at City Hospital, while patient.

Charles E. Dias, for compensation for collapse of water boiler at 89 Quincy street, Roxbury, caused by shutting off water.

Forest Hills Methodist Episcopal Church, Trustees of, for compensation for damage to property at Patten street, caused by bursting of water pipe.

Linwood S. Gilman, to be reimbursed as result of accident which occurred while in performance of duty.

Catherine Keville, for compensation for injuries caused by an alleged defect in Western avenue, opposite Smith Playground.

Joseph M. Kleinot, for compensation for damage to automobile by truck of Fire Department.

Agnes M. Law, for compensation for injuries caused by an alleged defect at corner of Marvin and Washington streets, Roxbury.

Lodgen's Market, Inc., for compensation for damage to property at 19 Corinth street, caused by overflow of sewage.

John D. McArdle, for compensation for damage to car caused by an alleged defect in Broadway at Washington street.

Grace E. McCannell and daughter Frances Ann, for compensation for personal injuries and damage to baby carriage by city truck.

Mrs. Margaret Menchini, for compensation for injuries caused by an alleged defect in North Harvard street.

Matthew J. O'Brien, to be reimbursed for execution issued against him.

Emanuel Rempelakis, for compensation for damage to car by ambulance of Boston City Hospital.

Annie Schwartz, for compensation for damage to property at 167 Howard avenue, Roxbury, caused by tree falling on fence.

Max Strasnick, for compensation for damage to property at 541-549 Shawmut avenue, caused by replacing water pipes.

Wilbur H. Whitty, for compensation for damage to car caused by an alleged defect in front of 168 Church street.

Abraham Woolf, for compensation for damage to car caused by mechanical street sweeper.

Executive Committee.

Petition of Mary E. Carney to be paid annuity on account of death of husband, Francis L. Carney, late member of the Police Department.

Petition of Josephine B. McNamara to be paid annuity on account of death of husband, Edward McNamara, late member of Fire Department.

Committee on Licenses.

Petition of Eastern Massachusetts Street Railway Company for license to operate motor vehicles between Neponset avenue, near Gallivan Boulevard, and Fields Corner Station, over Neponset avenue, Adams street, Park street, Geneva avenue, Gibson street, and Dorchester avenue.

Petition of Boston Stadium Corporation for permit for laying out, use and location of certain lands in Dorchester for midget auto racing and other racing, not including horse or dog racing.

APPOINTMENT OF COLLECTOR OF MILK SAMPLES.

Notice was received of the appointment of Jeremiah A. McCarthy, 159 Calumet street, Roxbury, as Collector of Milk Samples in the Health Department.

Placed on file.

APPROVAL OF VARIOUS PROJECTS BY STATE BOARD OF HOUSING.

Communications were received from the State Board of Housing approving various projects for veterans' housing.

Placed on file.

REPORT OF BOSTON FINANCE COMMISSION ON HOUSING CONTRACTS.

The following was received:

City of Boston,

Finance Commission, August 12, 1947.

Hon. John B. Hynes,

Mayor of Boston.

Honorable Sir,—Since its request to you made Wednesday, August 6, that execution of three contracts awarded by the Boston Housing Authority for veterans' housing be deferred until the Commission could make inquiry, the Finance Commission has made inquiry concerning the subject and reports that in these awards there are some possibilities of future difficulties which might defeat the effort speedily to provide more housing for veterans.

The work to be performed under these contracts is:

1. The construction of 8 one-family and 30 two-family units on a site on Baker street, West Roxbury. The award in this case is to a concern incorporated as the Allied Engineering Corporation, the amount of the bid being \$634,800.

2. The construction of 19 two-family units on a site on River street, Mattapan. The award in this case is to a concern incorporated as Construction Units, Inc., the amount of the bid being \$335,449.

3. The construction of roads and public utilities in the River street site. The award in this case is to a concern incorporated as Gil

Wyner Company, Inc., the amount of the bid being \$356,600. The award in each case is to the lowest bidder.

The Finance Commission believes that there are three important requisites to the making of any contract at any time by any public authority. These are that the contracting firm to whom an award is to be given must have satisfied the awarding authority that:

1. It is able to finance the job.
2. It is capable of performing the work to be contracted for.
3. Its reputation is such as to warrant the confidence that it will perform reasonably well the requirements of the contracts.

It appears from conference with some members of the Housing Authority that although some members made individual inquiry on some of these points, the Housing Authority did not obtain information which is of paramount importance in its award of contracts of this size. One member, for instance, stated on the record that he knew nothing about one of the concerns to whom an award was given. Another member stated that he had talked with various people of his acquaintance about one of the concerns, but had received no information on certain points either from the Board or otherwise. Another member stated he conferred with a representative of each concern in the office of the Housing Authority, and had been assured of each concern's standing, but had not asked for nor received any detailed financial statement either from the concern itself or any independent source.

The fact of the matter is that the Housing Authority never had before it a complete and checkable financial statement of any one of the three concerns mentioned.

The Finance Commission's conclusion is, therefore, that the Housing Authority neglected to inform itself satisfactorily on the important point as to whether or not the company to which the award is made has a financial standing which gives assurance of its being able to complete the contract awarded. Since each of these contracts requires payments of hundreds of thousands of dollars, a careful inquiry into the financial standing of each contractor is a primary requisite.

On the capability of the firm involved, the Commission has found that in each there are persons who have had experience in construction work, and have good reputations in that field. However, the degree of influence in these companies of these persons has not been ascertained.

With respect to integrity of performance, there is little experience on which to rely. One was incorporated in April, 1946, but its charter was sold to a new owner, presumably, in January, 1947. One member of the Housing Authority has stated on the record that he knows nothing about it. (The Commission believes he meant he knows nothing of its finances or capability.) This member stated he was and is opposed to this award to this company. This company was given an \$82,000 contract by the Housing Authority soon after the ownership of the corporation changed hands.

Another of the corporations came into existence as such in February, 1947, and soon after obtained a \$172,000 contract from the Fire Department. One of the leading members of this firm has done business under his own name for some time past, but in this instance he formed a new corporation for this city work. Apparently, officially, nothing more is known of it by the Housing Authority.

The third company was incorporated in January, 1946. It appears that the Housing Authority has had nothing before it officially in regard to this company, although the members present claimed to have information obtained informally or individually which satisfied them.

It was stressed by the members of the Housing Authority appearing before the Finance Commission that the contractor in each of these instances under question has furnished a one hundred per cent performance bond. The particular bonding company is regarded in bonding circles as a small company. The Federal Government has fixed a limit in the amount of a bond which it will accept from this company at a figure which is considerably less than the amount involved in any one of the three contracts under discussion.

The Finance Commission believes a performance bond in substantial amount should be a part of all contracts. Nevertheless, while a performance bond

might be made a guarantee of good performance in city projects, it seldom works out that way, not because of any fault of the bonding company, but because of the unwillingness of the city in most cases to press the bonding company on account of the delinquency of the contractor. In other words, the city more often than not is unwilling to injure the standing of a contractor with the bonding companies by forcing the bonding company to obtain performance as the contract requires when the contractor has failed in that respect.

In the case of these contracts, "time is of the essence" more than in ordinary contracts. Housing is needed speedily for veterans. In city work it is often stated that bonds take care of litigation, but provide little, if any, construction.

Besides the question of the financial stability and performance integrity of the contractor, the Finance Commission has found another circumstance which has possibility of causing delay in construction. The low bidder to whom the contract is awarded in one instance has among his subcontractors a non-union concern. This involves the heating construction. The Chairman of the Housing Authority, who has had an organized labor background, stated on the record that there is a possibility of a strike by the union subcontractors when the non-union company appears. The Commission has been informed by members of the Housing Authority that this particular point has provoked considerable discussion and feeling in the Housing Authority.

The Commission is bringing these questions to your attention because you have full authority in the execution of the contracts. It suggests that you undertake to clear the air of the suspicions, innuendoes, and valid criticisms by conference with the Housing Authority before you give the contracts your approval. Not only should this be done speedily in the interest of getting this construction work under way at the earliest possible date, but also because the Commission has been informed that one of the contractors has his equipment already on the job and has started work without awaiting execution of the contract.

It is worthy of comment that although individuals prominent in the set-up of the three corporations are connected with other firms or corporations actively engaged in the same line of endeavor, nevertheless, in each instance, the contracting corporation is a new concern with undisclosed financial responsibility.

Respectfully submitted,
EDWARD F. MULLEN, Chairman,
ALEXANDER WHEELER,
LEO J. DUNN,
FREDERICK DEANE,
FREDERICK W. ROCHE,
The Finance Commission.

ROBERT E. CUNNIFF,
Secretary.

Placed on file.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Benjamin N. Clott and Joseph Solomon Richards (referred August 4) to position of Constables, for term ending April 30, 1948, authorized to serve civil process upon filing of bonds—that same be approved.

Report on appointment of Paul Henry O'Shea, John E. Keegan and Reed Freeman (referred August 4) to be Weighers of Goods, for term ending April 30, 1948—that same be approved.

Report on appointment of George E. Lewis, Edward G. Hawkins and Harry A. Bloom (referred August 4) to be Weighers of Coal, for term ending April 30, 1948—that same be approved.

The reports were accepted, and the question came on confirmation. Committee, Councilors Kinsella and Sullivan. Whole number of ballots 12; yeas 12, nays 0, and the appointments were confirmed.

SHOWER FACILITIES IN SCHOOLYARDS, PARKS AND PLAYGROUNDS.

Coun. COOK offered the following:
Ordered, That the Boston School Committee be requested, through his Honor the Mayor, to turn on all shower facilities in schoolyards and

in other school property under their jurisdiction during the hot weather for the benefit of children; and

Ordered, That the Park Commission be requested, through his Honor the Mayor, to turn on all showers that are available in all parks and playgrounds under their jurisdiction during the hot weather for the benefit of children.

Severally passed under suspension of the rules.

OLD COLONY HOUSING PROJECT FOR LOW INCOME FAMILIES.

Coun. LINEHAN offered the following:

Whereas, Under section 304 of Title III of the Lanham Act, the Federal Public Housing Administrator is authorized to sell war housing projects for cash or credit, and Congress, under section 4 of Title I, has directed that such housing be sold or disposed of as expeditiously as possible. It is further provided that unless specifically authorized by Congress war housing projects such as the Old Colony Project shall not be conveyed to any public or private agency organized for slum clearance or to provide subsidized housing for persons of low income; and

Whereas, The Federal Public Housing Administrator through its agent in Boston has informed the Boston Housing Authority that said Old Colony Project must be reserved before July 1, 1947, for low rent use or it will be placed on the list for sale as expeditiously as possible; and

Whereas, The Federal Public Housing Administration officials thought that the time for reservation might be extended on the Old Colony Project; therefore be it

Ordered, That his Honor the Mayor request the Boston Housing Authority to make application to the Federal Public Housing Administrator to reserve the Old Colony Housing Project to be used for housing low income families subject to an act of Congress confirming the transfer of said Old Colony Project to the Boston Housing Authority. Present tenants in the Old Colony Project would then be protected until final disposition by Congress of said project.

Passed under suspension of the rules.

TRAFFIC CONDITIONS AT EDWARD EVERETT SQUARE.

Coun. LINEHAN offered the following:

Whereas, As a result of the many avenues of motor traffic pouring into the circle at Edward Everett square, Dorchester, and due to the lack of traffic lights at said location, a very dangerous condition, not only for motorists but also for pedestrians, exists at this location; therefore be it

Ordered, That his Honor the Mayor request the Police Commissioner to assign traffic officers daily to said location in the vicinity of Edward Everett square and Massachusetts avenue, between the hours of 7 a. m. and 10 p. m., for the protection of motorists and pedestrians; and be it further

Ordered, That his Honor the Mayor request the Traffic Commission to make an immediate study or survey relative to the installation of traffic lights in the near future at Edward Everett square, Dorchester.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON ORDINANCES.

Coun. HURLEY, for the Committee on Ordinances, submitted the following:

Report on ordinance (referred March 24) concerning amendment of ordinances *re* market leases—that same be adopted.

Report was accepted and, on motion of Councilor Hannon, it was referred to Executive Committee.

TRAFFIC SIGNALS IN DORCHESTER, WARD 13.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to direct the Traffic Commission to pro-

ceed with the installation of traffic lights at Savin Hill and Dorchester avenues, and Quincy street and Blue Hill avenue, Ward 13.

Referred to the Executive Committee.

PERMISSION TO BUILD STRUCTURE OVER SEWERAGE WORKS.

On motion of Councilor Fish, the Council voted to take No. 3 from the table.

No. 3 on the Calendar, was as follows:

3. Order to grant license to Alessandro Zanetti *et ux.*, to construct structure over sewerage works on Bowman street, Dorchester.

The foregoing order was read once and passed, yeas 16, nays 0:

Yeas—Councilors Bryan, Cantwell, Carey, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, Russo, Sullivan—16.

Nays—0.

The order will take its second reading and passage in not less than fourteen days.

HEALTH UNIT IN WARD 15.

Coun. KELLY offered the following:

Ordered, That the Trustees of the George Robert White Fund be requested, through his Honor the Mayor, to consider the advisability of establishing a health unit in the Dorchester section of Ward 15.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Cantwell, the Council voted at 3.55 p. m. to take a recess, subject to the call of the chair. The members reassembled and were called to order by President KELLY at 4.04 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and ordinance (referred today) concerning amendment of ordinances *re* market leases—that same ought to pass.

The report was accepted, and the ordinance was passed.

2. Report on message of Mayor and orders (referred today) for transfers of appropriations—that same ought to pass.

The report was accepted, and the orders were passed, yeas 12, nays 0:

Yeas—Councilors Cantwell, Chase, Cook, Fish, Hannon, Keenan, Kelly, Kinsella, Linehan, Moriarty, Muchnick, Russo—12.

Nays—0.

3. Report on message of Mayor and order (referred today) concerning appropriation of \$1,800 for public band concerts—that same ought to pass.

The report was accepted, and the order was passed, yeas 15, nays 0:

Yeas—Councilors Cantwell, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Linehan, McCormick, Moriarty, Muchnick, Russo, Sullivan—15.

Nays—0.

4. Report on order (referred today) for installation of traffic signals in Dorchester, Ward 13—that same ought to pass.

The report was accepted, and the order was passed.

REPORT OF FINANCE COMMITTEE.

Coun. RUSSO, for Finance Committee, submitted the following:

1. Report on order (referred August 4) for loan of \$7,000,000 for low income housing—that same ought to pass.

On August 4, 1947, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second reading and passage, yeas 16, nays 0:

Yeas—Councilors Bryan, Cantwell, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—16.

Nays—0.

2. Report on message of Mayor and order (referred August 4) for loan of \$380,000 for departmental equipment—that same ought to pass.

The report was accepted, and the order was given its first reading and passage, yeas 16, nays 0:

Yeas—Councilors Bryan, Cantwell, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—16.

Nays—0.

The order will take its second reading and passage in not less than fourteen days.

3. Report on message of Mayor and order (referred August 4) for loan of \$2,000,000 for veterans' housing—that same ought to pass.

On August 4, 1947, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second reading and passage, yeas 16, nays 0:

Yeas—Councilors Bryan, Cantwell, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—16.

Nays—0.

REPORT OF COMMITTEE ON PUBLIC SAFETY.

Coun. KINSELLA, for the Committee on Public Safety, submitted the following:

Report on petition of Lucille A. Payne for minor's license as a newsboy (referred August 4)—petitioner be given leave to withdraw, without prejudice.

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

REPAINTING MEMORIAL PLAQUE, BRADLEE AND ALGONQUIN STREETS.

Coun. KEENAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to invest ten dollars in paint to be used in repainting the plaque containing the names of World War II veterans from Dorchester, which is located in the park reservation at Bradlee and Algonquin streets, Dorchester, Ward 17.

Passed under suspension of the rules.

INVESTIGATION OF HIGH PRICES OF NECESSARIES OF LIFE.

Coun. KEENAN offered the following:

Ordered, That his Honor the Mayor be requested to communicate with the Attorney General of the United States, Hon. Tom Clark, urging him to send agents from his department to investigate the high prices of food, clothing, and other necessities of life in the City of Boston.

Passed under suspension of the rules.

EMPLOYMENT OF RESIDENTS BY VETERANS' HOUSING CONTRACTORS.

Coun. KEENAN offered the following:

Ordered, That his Honor the Mayor be requested to notify all contractors having the work of constructing housing, under the supervision of the Boston Housing Authority, in the City of Boston, to employ residents and citizens of the city in preference to persons living outside of Boston.

A motion made by Councilor Linehan to amend the order by adding "whenever possible" after the words "of the city," was carried.

The order as amended was passed under suspension of the rules.

PLACES SELLING FOOD AND DRINK.

Coun. MUCHNICK offered the following:

Be it ordained by the City Council of Boston.

Section 1. The Health Department of the City of Boston, subject to the approval of the Department of Health of the Commonwealth of Massachusetts in accordance with chapter 94, section 146 of the General Laws, shall make and enforce reasonable rules and regulations as to the conditions under which all articles of food and drink may be kept and exposed for public sale and consumption in order to prevent contamination thereof and injury to public health.

Section 2. The Health Department shall periodically inspect, under such rules and regulations, each place of business holding a license issued by the City of Boston pertaining to the sale of food and/or drink no less than once in every six-month period, and no less than twice per year.

Section 3. The Health Department shall rate each such place of business in accordance with the reasonable rules and regulations as to quality of cleanliness, wholesomeness, and fitness of the food and drink, equipment, and condition of the premises as specified by the Health Department. The Health Department shall establish the following ratings pursuant to the above inspection: Excellent, Good, Fair, Poor. Such ratings shall be posted by the license holder in clear public view as close as is reasonably possible to the entrance of said inspected establishments within forty-eight hours of the time such ratings are presented to the license holder.

Section 4. Any place of business inspected may abstain from posting such notice if within forty-eight hours after presentation of such rating a written notice of appeal is filed with the Health Department asking for a hearing and reinspection of the premises. Such hearing and reinspection shall be held by a board of three inspectors of the Health Department appointed by the chairman of the Health Department provided that such board shall not include the inspector who rated the premises then under appeal. The decision of the three-man board shall be made within seven days of the original presentation of the rating as given by the original inspector. The rating as determined by the board shall be posted immediately by the place of business upon notice of said board's decision.

Section 5. The fee for each inspection by an inspector of the Health Department of the City of Boston shall be five dollars. The fee for each reinspection by the three-man board of the Health Department of the City of Boston shall be fifteen dollars.

Section 6. (a) Any person, firm or corporation violating the above section concerning the posting of its rating shall upon conviction before an appropriate court be fined up to twenty dollars for each day, the total fine not to exceed one hundred dollars.

(b) Upon the conviction of any person, firm or corporation for violation of section 6 (a), the Health Commissioner for the City of Boston shall institute proceedings before the appropriate board for the cancellation of all licenses pertaining to the sale of food and/or drink held by said person from the City of Boston.

Referred to Committee on Ordinances.

On motion of Councilor Muchnick, the Council voted to have a public hearing to which all interested city departments and organizations and associations be invited.

ADJOURNMENT.

On motion of Councilor Sullivan, the Council voted that when it adjourned it be to meet on Wednesday, September 3, 1947, at 2 p. m.

LEGAL BOOKS FOR CITY COUNCIL.

Coun. LINEHAN offered the following:

Ordered, That the Clerk of the City of Boston provide the Boston City Council with a set of Massachusetts Annotated Laws, Annual Blue Book, and current legislation passed by the Massachusetts Legislature.

Passed under suspension of the rules.

CLEANING CATCH-BASINS, WARD 20.

Coun. BRYAN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to arrange for the cleaning of all catch-basins in Ward 20.

Passed under suspension of the rules.

ACCEPTANCE OF BUCHANAN ROAD.

Coun. BRYAN offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Buchanan road, from Andover road to Morey road, Ward 20, as a public highway.

Passed under suspension of the rules.

PUBLIC HEARING ON MIDGET AUTO RACING PETITION.

A motion by Councilor Keenan that a public hearing be held on the petition of the Boston Stadium Corporation and that this hearing be advertised in the newspapers and that all the councilors be notified by letter, was carried.

On motion of Councilor Cook, the Council adjourned at 4.33 p.m., to meet on Wednesday, September 3, 1947.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, September 3, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Coffey and Scannell.

The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

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

Constable, for the term ending April 30, 1948, authorized to serve civil process upon filing of bond: Herman M. Finer, 12 Willowood street, Dorchester.

Weigher of Coal, for the term ending April 30, 1948: Chester K. Wickes, 699 Hyde Park avenue, Roslindale.

Weighers of Goods, for the term ending April 30, 1948: Joseph P. Kenney, 52 Church street, Dorchester; Richard J. Ryan, 14 Hummock road, Quincy, and James J. Durkan, 29 Harvard avenue, Brookline.

Severally referred to the Committee on Constables and Confirmations.

IMPROVEMENTS FOR CAMP McKAY.

The following was received:

City of Boston,

Office of the Mayor, August 20, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Housing Authority relative to your order of April 28, 1947, concerning recreational facilities at Camp McKay, Dorchester.

Respectfully,

J. B. HYNES,
Temporary Mayor.

Boston Housing Authority,
August 19, 1947.

Hon. John B. Hynes,

Mayor of Boston.

Dear Mayor Hynes,—This Authority is in receipt of your memorandum enclosing an order in Council of April 28, 1947, introduced by Mr. Hannon, relative to providing recreational facilities and an assembly hall at Camp McKay, Dorchester.

A query has been made to the School Buildings Department for the purpose of obtaining a portable school building for recreational purposes. We have been informed by the School Buildings Department that originally they had under their supervision 240 portable school buildings. At the present time they have only nine buildings, and these are being used for schoolroom purposes.

Application for playground equipment has been made to the Federal Public Housing Authority, and they have not been able to procure the requested equipment to date.

Very truly yours,

JEREMIAH F. SULLIVAN,
Acting Executive Director.

Placed on file.

VETERANS' HOUSING PROGRAM.

The following was received:

City of Boston,

Office of the Mayor, August 20, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Housing Authority relative to your order of May 19, 1947, concerning eligibility requirements for single and two-family houses being constructed for veterans.

Respectfully,

J. B. HYNES,
Temporary Mayor.

Boston Housing Authority,

August 19, 1947.

Hon. John B. Hynes,

Mayor of Boston.

Dear Mayor Hynes,—This Authority is in receipt of your memorandum enclosing an order in Council of May 19, 1947, introduced by Mr. Linehan, relative to making provisions for World War II veterans to move into single and two-family homes being constructed who are presently residing in the low rent housing developments and who have been given eviction notices because of excess income.

This is to advise you that the Authority has not as yet drawn up specific eligibility requirements for the single and two-family program.

Very truly yours,

JEREMIAH F. SULLIVAN,
Acting Executive Director.

Placed on file.

TRANSFER OF OLD COLONY HOUSING PROJECT TO BOSTON HOUSING AUTHORITY.

The following was received:

City of Boston,

Office of the Mayor, August 20, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Housing Authority relative to your order of July 14, 1947, concerning the reserving of the Old Colony Housing Project for low income families.

Respectfully,

J. B. HYNES,
Temporary Mayor.

Boston Housing Authority,

August 19, 1947.

Hon. John B. Hynes,

Mayor of Boston.

Dear Mayor Hynes,—This Authority is in receipt of your memorandum enclosing an order in Council of July 14, 1947, introduced by Mr. Linehan, requesting this Authority to make application to the Federal Public Housing Authority to reserve the Old Colony Housing Project for low income families.

You are advised that the Wolcott Bill, so called, which is evidently the basis of the order in Council, was not passed at the last session of the Congress. It would therefore appear that there is no immediate action necessary on this order.

Very truly yours,

JEREMIAH F. SULLIVAN,
Acting Executive Director.

Placed on file.

ERECTION OF HOUSING PROJECTS, NORTH END, WEST END, AND SOUTH END SECTIONS.

The following was received:

City of Boston,

Office of the Mayor, August 20, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Housing Authority relative to your order of July 14, 1947, concerning the erection of housing projects in the North, West, and South Ends of Boston.

Respectfully,

J. B. HYNES,
Temporary Mayor.

Boston Housing Authority,

August 19, 1947.

Hon. John B. Hynes,

Mayor of Boston.

Dear Mayor Hynes,—This Authority is in receipt of your memorandum enclosing an order in Council of July 14, 1947, introduced by Mr. Russo, requesting this Authority to consider the advisability of erecting projects in the North End, West End, and South End sections of Boston.

The Authority is making an examination of all available land in the City of Boston. As of this date it has been unable to locate any land which would be suitable in either the North or the West Ends.

It is the intention of the Authority to construct a low income project in the South End at as early a date as it can.

Very truly yours,
JEREMIAH F. SULLIVAN,
Acting Executive Director.

Placed on file.

MONTHLY REPORTS FROM BOSTON HOUSING AUTHORITY.

The following was received:

City of Boston,
Office of the Mayor, August 20, 1947.
To the City Council.

Gentlemen,—I forward herewith communication from the Boston Housing Authority relative to your order of August 4, 1947, concerning a progress report of construction of one- and two-family houses.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Boston Housing Authority,
August 19, 1947.

Hon. John B. Hynes,
Mayor of Boston.

Dear Mayor Hynes,—This Authority is in receipt of your memorandum enclosing an order in Council of August 4, 1947, introduced by Mr. Linehan, relative to a progress report once a month relative to the construction of one- and two-family houses by this Authority on the city program.

You are advised that this Authority will be pleased to report to your Honor at such times and in such form as your Honor may request.

Very truly yours,
JEREMIAH F. SULLIVAN,
Acting Executive Director.

Placed on file.

REPAINTING MEMORIAL PLAQUE, BRADLEE AND ALGONQUIN STREETS.

The following was received:

City of Boston,
Office of the Mayor, August 28, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department relative to your order of August 18, 1947, concerning the repainting of the plaque containing the names of World War II veterans from Dorchester, located in the park reservation at Bradlee and Algonquin streets, Dorchester, Ward 17.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, August 26, 1947.

J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—The veterans' memorial board on Park Department property on Bradlee street grass plot at Washington street, Dorchester, was erected by the air raid wardens of that district. It was not city-sponsored. The names on the board are kept up by private individuals.

The top scroll part of the board is constructed of five thicknesses of plywood. The weather has got in between these pieces of plywood, and it is curling and breaking off. If it is to be properly maintained, this deteriorated memorial top board with scroll will have to be replaced. It should be in one piece and one thickness. A sign painter would have to do the new board with the stars and lettering in gold leaf. In the rear of the board is a flagpole which should be painted.

I visited the site with a contractor who quoted a price of \$125 to renew the scroll board, do all painting, lettering, and gold leaf work on the memorial, and to paint the flagpole.

In talking with the Auditing Department, I was told that it might be ruled that the city's funds cannot be expended on property built from private funds.

In conclusion, I feel that, first, the City Law Department should rule whether the city's money can be spent for this work, and, second, if it can be and it is deemed advisable to take over the maintenance of these privately built memorials, that money be appropriated for just this purpose, as it

is not one memorial board that needs attention, but a dozen or more privately built and privately operated now on city-owned land.

Respectfully yours,
JOHN J. MURPHY,
Deputy Commissioner.

Placed on file.

SHOWER-BATH FACILITIES IN SCHOOL-YARDS, PARKS AND PLAYGROUNDS.

The following was received:

City of Boston,
Office of the Mayor, August 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the School Committee relative to your order of August 18, concerning the use of shower-bath facilities in schoolyards and other school property.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
School Committee, August 22, 1947.
Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,—An order of the City Council, passed at the meeting of August 18, 1947, requesting "the Boston School Committee, through his Honor the Mayor, to turn on all shower facilities in schoolyards and in other school property under their jurisdiction during the hot weather for the benefit of children," has been received.

At the conference of the School Committee held on June 13, 1947, the committee approved the suggestion of the Director of Physical Education that showers be turned on from 10.30 to 11.30 a. m. on warm mornings, and from 2.30 to 3.30 p. m. on warm afternoons, during the summer vacation, in schoolyards having outdoor shower facilities. These showers are under the supervision of the custodian in charge of the building having these facilities.

It would seem, therefore, that no further action is necessary at this time.

Very truly yours,
AGNES E. REYNOLDS,
Assistant Secretary.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Boston Elevated Railway Company, for compensation for damage to property on Southampton street, caused by city employee.

Mary Cahill, for compensation for damage to eyeglasses caused by an alleged defect at 112 Summer street.

Monte Cohen, for compensation for damage to property at 13 Cornhill, Boston, caused by city truck.

Agnes Connolly, for compensation for injuries caused by an alleged defect at 571 Washington street, Brighton.

Walter J. Daley, for compensation for broken eyeglasses while patient at City Hospital.

James DeMita, for compensation for damage to property at 1431 Dorchester avenue, caused by broken water main.

Robert D. Goldman, for son, for compensation for injuries caused by glass on grass at L street Bath House.

Alice M. Gordon, for compensation for injuries caused by an alleged defect at 392 Seaver street.

Joseph Gulli, for compensation for damage to truck caused by an alleged defect at 47 Chelsea street, East Boston.

Mildred J. Guppy, for compensation for damage to car caused by an alleged defect at Union Park street and Shawmut avenue.

H. P. Hood & Sons, Inc., for compensation for damage to car by city truck.

Anna Keyes, for compensation for injuries caused by an alleged defect at 19 Goodrich road.

Delia Larkin, to be reimbursed for expenses incurred for plumbing work done at 40 Champney street.

Peter J. Lazisky, for compensation for damage to car caused by car of Penal Institutions Department.

Lillian E. Lotto, for compensation for damage to car by city truck.

Grace Maraghy, for compensation for damage to property at 146 Train street, caused by leak in water main.

Florence McCarthy, for payment of three days' salary due him while employed at Boston Sanatorium.

Ellen G. McGrath, for compensation for injuries caused by an alleged defect in Dartmouth street.

New England Tire and Supply Company, to be paid for services rendered on vehicles of Public Works Department.

William H. O'Toole, for compensation for damage to property at 553 Gallivan Boulevard, caused by work being done on street.

John G. Wermers, for compensation for damage to car caused by an alleged defect at 69 Cross street, Boston.

APPROPRIATION FOR CELEBRATION OF "REDEDICATION WEEK".

The following was received:

City of Boston,

Office of the Mayor, September 3, 1947.

To the City Council.

Gentlemen,—On September 17, 1947, the 160th anniversary of the signing of the Constitution, a national year of rededication by all citizens of the United States to the American heritage of freedom, will open. During the year, the Freedom Train, with three exhibit cars containing more than 100 of the famous original documents which have marked the development of individual liberties in this country from Colonial days to the present, will travel through the 48 states of the Union, stopping in 300 communities for public display.

This train will visit Boston during the week of October 5-12, and the city has been requested by the American Heritage Foundation to designate this period as "Rededication Week" and to conduct a series of daily programs in which every citizen will be able to take part, in a renewed understanding of his personal liberties and a rededication to the American heritage in every aspect of his daily life.

The committee which I have appointed to arrange for the observance of "Rededication Week" is now at work in the formulation of an appropriate program. The nature and extent of this program has not as yet been finally determined. In my opinion, it is desirable that the committee should be empowered to expend funds in an amount sufficient to warrant a proper and adequate observance by the city. I therefore submit herewith an order authorizing the expenditure of a sum not in excess of \$7,500 for this purpose, said expenditure to be charged to the Contingent Fund. I respectfully recommend adoption of this order by your Honorable Body.

Respectfully

JOHN B. HYNES,

Temporary Mayor of Boston.

Ordered, That the committee appointed to arrange for the proper observance of "Rededication Week" be authorized to expend under the direction of the Mayor in the prosecution of its duties a sum not in excess of seventy-five hundred dollars (\$7,500), said sum to be charged to the Contingent Fund.

Referred to the Executive Committee.

VETO MESSAGE AND NEW ORDINANCE AND ORDER ON MARKET LEASES.

The following was received:

City of Boston,

Office of the Mayor, August 20, 1947.

To the City Council.

Gentlemen,—For technical reasons I return herewith, without my signature and disapproved, the ordinance adopted by your Honorable Body on August 18, 1947, relative to market leases.

Through an oversight the ordinance purported to amend a section in the Revised Ordinances of 1925, which ordinances are no longer in existence.

Your attention is also called to the fact that, from the opening of Faneuil Hall Market in 1826 up to the present time, the leases have been so executed that they all would expire on the same definite date. By this arrangement the opportunity is afforded the Mayor and City Council at the time for renewal of the leases to make a general increase or decrease in the rentals of all the leased premises according to existing conditions.

I submit herewith an ordinance which is in proper form to cover the situation.

In addition to the ordinance it appears to be necessary to remedy another complication. On February 24, 1947, the City Council, with the approval of the Mayor, authorized the Superintendent of the Public Buildings to renew the leases, at a 25 per cent increased rental, to date from October 1, 1946. Due to certain legal complications the Superintendent has been unable to execute the leases, and the lessees have been tenants-at-will since last October. To meet this complication I also recommend the passage of the accompanying order.

Both the ordinance and the order should be adopted without delay, in order that the renewed leases and increased rentals may be effective by October 1, 1947.

Respectfully,

JOHN B. HYNES,

Temporary Mayor.

City of Boston,

In the Year Nineteen Hundred and Forty-Seven. An Ordinance Concerning Faneuil Hall Market Leases.

Be it ordained by the City Council of Boston, as follows:

Chapter twenty-five of the Revised Ordinances of 1947 is hereby amended by striking out section 9 and inserting in place thereof the following:

SECTION 9. The Superintendent of Public Buildings shall lease, from time to time, by instruments approved as to form by the Corporation Counsel and approved in writing by the Mayor, the stalls, cellars, and second floor in Faneuil Hall Market for terms of three years from October 1, 1947, and at the expiration of such leases for further terms of three years, at the rents established by the City Council and upon such other terms and conditions as may be approved by the Corporation Counsel and the Mayor.

Whereas, Due to legal difficulties in executing the so-called Faneuil Hall Market leases in compliance with the order passed in City Council, February 24, 1947, increasing rental rates by 25 per cent, the occupants of said market have been tenants at will since October 1, 1946;

Ordered, That the Superintendent of Public Buildings be authorized, with the approval of the Mayor, to make such leases at the rates specified in the said order of February 24, 1947, for a term of three years from October 1, 1947.

Ordinance and order referred to the Executive Committee.

LICENSING OF AUTOMATIC AMUSEMENT DEVICES.

The following was received:

City of Boston,

Office of the Mayor, September 3, 1947.

To the City Council.

Gentlemen,—On the recommendation of the Police Commissioner, I submit herewith a proposed ordinance covering the licensing of automatic amusement devices. The draft as submitted follows closely the provisions of an ordinance adopted by the Cambridge City Council on December 16, 1946. I am informed that during the current year Cambridge will receive in revenue from the licensing of these devices an amount in excess of \$3,000. On this basis it would seem reasonable to assume that adoption of the proposed ordinance in Boston would mean additional revenue in the neighborhood of \$25,000 annually. In addition to the revenue aspects of the proposed ordinance, there is also the control and regulation of the use of these various automatic amusement devices which would be secured under the rules and regulations which would be established as a part of the license procedure. I submit herewith the communication of the Police Commissioner which accompanied the

proposed ordinance. I recommend favorable consideration by your Honorable Body of the ordinance as submitted.

Respectfully,
J. B. HYNES,
Temporary Mayor of Boston.

—
City of Boston,
Police Department, August 11, 1947.
Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,—The automatic amusement device commonly known as "pinball machine" is in operation throughout the city in restaurants, public halls, stores, places of amusement, and practically every place where members of the public congregate.

According to a recent decision handed down by the Supreme Judicial Court of Massachusetts on January 7, 1946 (Com. vs. Sidney Wolbarst, 319 Mass. 291), an ordinance prohibiting the possession and control of automatic amusement devices was held repugnant to existing Statute Law and unconstitutional. It appears from the discussion in this case that devices of this type, for amusement only, "should not be deemed unlawful."

The problem presented to the Police Department in relation to this type of amusement seems to concentrate on the use of these machines by children of all ages. There is no doubt in my mind that the frequent use of "pinball machines" by children of tender years is detrimental to their formative period, and it appears quite necessary that the use of this type of amusement should be regulated by the proper licensing authority.

Therefore, after an exhaustive study of the laws relating to amusement devices, I have drawn a proposed amendment to the Revised Ordinances of 1925 of the City of Boston, which you will please find enclosed.

Prompt action on this important matter by the City Council will not only bring new revenue to the city but will greatly assist law enforcement agencies in the proper regulation of automatic amusement devices.

With kind personal regards, I am
Very truly yours,

T. F. SULLIVAN,
Police Commissioner.

—
City of Boston,
In the Year Nineteen Hundred and Forty-seven.
An Ordinance Concerning Automatic Amusement
Devices.

Be it ordained by the City Council of Boston, as follows:

The Revised Ordinances of 1947 are hereby amended by adding thereto the following chapter:

CHAPTER 42.—CONCERNING AUTOMATIC AMUSEMENT DEVICES.

SECTION 1. For the purpose of this chapter, an automatic amusement device is hereby defined as any mechanism whereby, through the insertion of a coin or token, any apparatus is released or set in motion or is put in a position where it may be set in motion for the purpose of playing any game, including, but not exclusively, such devices as are commonly known as pinball machines, marble games, diggers, grab machines, baseball or football machine games, target machines and horse racing machines.

SECT. 2. No person shall, except in accordance with a license granted by the mayor, maintain, operate or permit to be operated or maintained in any restaurant, public hall, store, place of amusement or any other place to which members of the public may resort, any automatic amusement device.

SECT. 3. Licenses granted for the maintenance, possession and operation of such automatic amusement devices shall be issued annually to expire on December thirty-first of each year. The fee for such license shall be twenty-five dollars per year for each device.

SECT. 4. The mayor shall make rules and regulations for the use of such automatic amusement devices by the holders of licenses and he may require, from time to time, the furnishing of reports concerning the ownership of such devices or any interest therein, receipts for the use of such devices and any other information which he may deem pertinent concerning such devices and their use and operation.

SECT. 5. No person holding a license for the use of any such automatic amusement device shall use or permit the same to be used for the purpose of gambling in any manner whatsoever, either directly or indirectly.

SECT. 6. No licensee under this chapter shall permit a minor to operate an automatic amusement device without the written consent of his parent or guardian.

SECT. 7. Automatic amusement devices shall be so installed on the premises described in the license as to be in open view at all times while in operation. They shall at all times be available for inspection by the mayor and the police commissioner for the city of Boston or their authorized agents. Licenses shall not be valid to protect the holders thereof in a building or place other than that designated in the license, unless consent to removal is granted by the mayor.

SECT. 8. Any violation of the provisions of this ordinance or of chapter 136 of the General Laws shall be cause for revocation of licenses for all devices owned or controlled by licensee.

SECT. 9. Any person, firm or corporation violating the provisions of this ordinance shall be subject to a penalty not exceeding twenty dollars for each offense.

Referred to the Committee on Ordinances.

TRANSFER OF APPROPRIATION.

The following was received:

City of Boston,
Office of the Mayor, September 3, 1947.
To the City Council.

Gentlemen,—I am in receipt of the accompanying letter from the City Auditor setting forth the fact that an additional appropriation of \$7,500 will be required to cover during the balance of the current fiscal year the compensation authorized under chapter 580 of the Acts of 1947 for the Temporary Mayor. I submit herewith an order providing for the transfer of this amount from the Reserve Fund and respectfully recommend its adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor of Boston.

—
City of Boston,
Auditing Department, August 27, 1947.
Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,—Since your induction as Temporary Mayor, the compensation authorized for your services under chapter 580 of the Acts of 1947 has been paid from the appropriation for A-2, Temporary Employees, in the budget for Mayor, Office Expenses. When this appropriation was originally authorized, it was not contemplated that it would be utilized to bear such charges. As a result, the appropriation is now practically exhausted. To cover your services as Temporary Mayor during the balance of the current year, an additional appropriation of \$7,500 will be required. I suggest that this amount be provided by a transfer from the Reserve Fund.

Respectfully,
CHARLES J. FOX,
City Auditor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Reserve Fund, \$7,500, to the appropriation for Mayor, Office Expenses, A-2, Temporary Employees, \$7,500.
Referred to the Executive Committee.

TRANSFER OF APPROPRIATIONS, COUNTY BUILDINGS.

The following was received:

City of Boston,
Office of the Mayor, September 3, 1947.
To the City Council.

Gentlemen,—The enclosed request for transfer of appropriations, together with the accompanying

order, is forwarded for consideration and adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Buildings Department, B-39, General Repairs, \$7,000, to the appropriation for County of Suffolk, County Buildings, B-39, General Repairs, \$7,000.

Referred to the Executive Committee.

APPROPRIATION FROM PARKMAN FUND INCOME.

The following was received:

City of Boston,
Office of the Mayor, September 3, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners, requesting the appropriation of \$45,000 from the income of the George F. Parkman Fund, to be expended under the direction of the Board of Park Commissioners for the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887.

The 1947 budget estimates of the personal service requirements of the Park Department included an estimate of the total income of \$180,000 from the Parkman Fund. The budget allowances made provision for the appropriation of this income as it accrued for the purpose of defraying the cost of work actually performed on the Common and Parks in Existence on January 12, 1887.

I submit herewith an order appropriating the sum of \$45,000, the accrued income now available from the Parkman Fund, and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, September 3, 1947.
Hon. John B. Hynes,
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 \$45,000, 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..... \$45,000

When making up the budget estimates for the year 1947, 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 1947, to be transferred as it accrued from time to time during the year to the regular maintenance appropriation of the Park Department.

Very respectfully yours,
JOHN J. MURPHY,
Chairman.

Ordered, That the sum of \$45,000 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..... \$45,000

Referred to the Parkman Fund Committee.

TRANSFER OF APPROPRIATION FOR PUBLIC CELEBRATIONS DIVISION.

The following was received:

City of Boston,
Office of the Mayor, September 3, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached request from the Acting Director of Public Celebrations, requesting an additional appropriation of \$15,000 to cover expenditures for the balance of the year.

The original appropriation recommended by the Mayor when submitting the budget for 1947 was reduced \$15,000 by the City Council, or from \$90,000 to \$75,000.

It is apparent from the explanation contained in the attached request that the additional sum of \$15,000 is necessary to carry on the functions of the Public Celebrations Division for the balance of the year, and I recommend consideration and passage of the accompanying order transferring the sum of \$15,000 from the Reserve Fund for this purpose.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Office of the Mayor, September 2, 1947.
Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Mr. Mayor,—Your permission and authorization to seek an additional appropriation of \$15,000 is hereby requested for the Department of Public Celebrations, to cover expenditures for the balance of this year. The originally prepared budget for this department found every item pared to a minimum by the Director of Public Celebrations, but even after paring down these items the Council cut an amount of \$15,000 from the budget.

At the present time there is approximately a balance of \$8,000 in the funds of the Department of Public Celebrations for the remainder of this year. Of this amount \$5,000 will be required for salaries for the remainder of this year, and there is approximately \$5,000 in bills outstanding-leaving a deficit of \$2,000.

The anticipated celebrations expenditures of the department for the remainder of this year are as follows:

September 1, 1947, Labor Day, \$1,500; September, Commander Jack Barry Day, \$300; October 12, 1947, Columbus Day, \$3,000; November 11, 1947, Armistice Day, \$1,500; December, 1947, Christmas celebrations, \$1,500—\$7,800; plus additional funds for bills outstanding, \$2,000; total, \$9,800.

Besides these expenditures the Department of Public Celebrations is going to be asked again this year, as they were last year, to assume the bills for the Halloween parties run by the Park Department throughout the entire city, the approximate cost for same being \$5,000. Therefore, between the public celebrations planned for the rest of this year and the proposed Halloween parties we will have to obtain this additional money. The matter as presented has been discussed with the Director of Public Celebrations and meets with his approval. Above total, \$9,800, plus \$5,000—net total, \$14,800.

Respectfully submitted,
PETER J. CLOHERTY,
Acting Director of Public Celebrations.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Reserve Fund, \$15,000, to the appropriation for Special Appropriation, Public Celebrations, \$15,000.

Referred to the Executive Committee.

STREET RAILWAY LINES IN HYDE PARK.

The following was received:
City of Boston,
Office of the Mayor, September 3, 1947.
To the City Council.

Gentlemen,—By the terms of the Acts of 1947, chapter 544, and pursuant to action taken thereunder by the Metropolitan Transit Authority,

public control of the Boston Elevated Railway Company ceased on August 29, 1947, and the entire assets of that company have been acquired and will be operated in the future by the Metropolitan Transit Authority. The lease from the City of Boston to the Boston Elevated Railway Company of the so-called Hyde Park Lines, which were acquired by the city pursuant to the Statutes of 1923, chapter 405, ended, by its own terms, at the termination of public control. Provision was made for a new arrangement with respect to the operation of these lines by the Metropolitan Transit Authority in section 16 of Statutes 1947, chapter 544. That section provides as follows:

"If this section shall be accepted by vote of the city council of the city of Boston, hereinafter called the city, approved by the mayor, and a certificate evidencing such acceptance shall be filed with the state secretary, the authority and the city shall be deemed to have entered into a contract for the use of the lines of street railway in that part of Boston formerly Hyde Park included in the existing contract for use between the city and the company dated August twenty-third, nineteen hundred and twenty-three, of certain properties acquired under the provisions of chapter four hundred and five of the Acts of nineteen hundred and twenty-three upon the same terms and conditions as contained in said contract for use, for a term extending until such time as the bonds of the city issued under authority of said chapter four hundred and five shall have been paid, and into a further contract that when all such bonds have been paid title to the properties included in said contract for use shall vest in the authority free from any further payment or liability to the city of Boston."

As you will note, the acceptance of that section would amount to the writing of a new lease with the Metropolitan Transit Authority on the same terms and conditions as the previous lease. Such new lease will continue until the payment of all bonds of the city issued under authority of the Statutes of 1923, chapter 405, for the original acquisition of the Hyde Park Lines. I am informed that the last of those bonds will mature in 1981. On the payment of such last maturing bonds the lease will terminate, and title to the Hyde Park Lines will pass, without further payment, to the Metropolitan Transit Authority.

The acceptance of section 16 has been recommended by the Transit Commission and by the Law Department. I recommend, therefore, the passage by your Honorable Body of the attached order.

Respectfully,
JOHN B. HYNES,
Temporary Mayor.

City of Boston,
Law Department, September 3, 1947.

Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,—I have considered the letter of the Transit Department dated August 18 which you transmitted to me on August 20. In that letter, the Transit Department recommends the acceptance by the city of section 16 of the Statutes of 1947, chapter 544.

After full consideration of the question which I have discussed on several occasions with the Transit Commission, I am inclined to concur in their recommendation that section 16 be accepted by the city.

Very truly yours,
JAMES W. KELLEHER,
Assistant Corporation Counsel.

City of Boston,
Transit Department, August 18, 1947.

Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,—The following is a report made pursuant to your Honor's request under date of July 28 that the Transit Department make a report on the acceptance of section 16 of chapter 544 of the Acts of 1947.

This chapter creates the Metropolitan Transit Authority, which has notified the Elevated that the authority elects to purchase the assets, property, and franchise of the company and, therefore, at 12 noon, August 29, public control of the Elevated comes to an end, and with it the contract between

the city and the Elevated for the use of the Hyde Park Street Railway.

However, it is provided in said chapter that the city, by accepting section 16, may continue with the Transit Authority the existing contract.

It is the opinion of the Transit Department the city would do better to make a choice, which we do not regard as dubious, of accepting section 16 than by refusal to accept, thereby ending its contract for the continued use of the Hyde Park Street Railway.

It has been pointed out to us by the Law Department that the Legislature undoubtedly intended that all the outstanding Hyde Park bonds issued by the city should be paid at maturity and that the rentals should not end until the last installment of interest and the last remaining obligations amounting to \$15,000 have been paid to the bondholders. The date for final payment of bonds and rentals is May 1, 1981, at which time title to the railway passes from the city to the Transit Authority.

The Act does not state the manner and date of payment, and this omission has raised a doubt which we do not share but which, it is said, might result in the early payment of the \$15,000 and the concurrent termination of the rental.

The city, we think, should assert its rights under the contract which it has with the Elevated for the use of the Hyde Park Street Railway. It should do this not only for the protection of its taxpayers who have been called upon to meet heavy continuing Elevated deficits, but also for the reason that no precedent may be set up for the ultimate loss of rentals on subways and tunnels owned by the city.

Yours respectfully,
MALCOLM E. NICHOLS,
Chairman.

Boston, August 19, 1947.

The financial picture, so far as the city is concerned, on the Hyde Park Street Railway is as follows:

The total cost of this project to the city for construction was \$337,000. From the first year the city started to collect rentals from the Boston Elevated Railway, the rental charge was never sufficient to even offset the interest on the bonds. As of December 31, 1947, there is a deficit of \$57,260.21, the difference between the rentals from 1925, \$256,397.29, and the interest charges, \$313,657.50. If the Boston Elevated continues to pay the yearly rental on this project until all bonds are retired, there still will be a deficit of \$43,511.80. The total cost of construction plus the interest paid from 1925 to 1981 amounts to \$676,184.37; less the total rentals from 1925 to 1981, \$632,672.57—\$43,511.80.

Ordered, That section 16 of chapter 544 of the Acts of 1947, "An Act providing for the creation of the Metropolitan Transit Authority and the Acquisition and operation by it of the entire assets, property and franchises of the Boston Elevated Railway Company," be, and the said section hereby is, accepted.

Referred to the Executive Committee.

APPROVAL OF COST ESTIMATES BY STATE BOARD OF HOUSING.

A communication was received from the State Board of Housing, approving certain cost estimates in veterans' housing project.

Placed on file.

ABANDONMENT OF STATIONS.

Notice of hearing before the State Department of Public Utilities on the abandonment of stations on the Dorchester Branch of the New York, New Haven & Hartford Railroad.

Placed on file.

CONDUIT LOCATION.

A communication was received from the Metropolitan District Commission, enclosing copy of order granting conduit location to the Boston Edison Company in Veterans of Foreign Wars Parkway.

Placed on file.

TRACK LOCATION.

Notice received from the Board of Street Commissioners of track location granted to Boston Elevated Railway Company, Summer street, being the 116th location.

Placed on file.

APPOINTMENT OF JOHN J. MURPHY.

Notice was received from the Mayor of the appointment of John J. Murphy to be Park Commissioner, for the term ending April 30, 1949.

Notice was also received from the Mayor of the designation of John J. Murphy to be Chairman of the Board, Park Commissioners.

Severally placed on file.

REPORT OF THE COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointments of Frederick A. Bigwood and Charles O. Boynton (referred August 18) to be Weighers of Goods, for the term ending April 30, 1948, that same be approved.

Report on appointments of Philip Scarnici, William C. Bowles, and John Andrew D'Arcy (referred August 18) to be Constables authorized to serve civil process upon filing a bond, for term ending April 30, 1948 — that same be approved.

The reports were accepted, and the question came on confirmation. Committee, Councilors Russo and Bryan. Whole number of ballots 13, yeas 13, nays 0, and the appointments were confirmed.

FAIRVIEW CEMETERY FOR VETERANS.

Coun. CANTWELL offered the following:

Ordered, That the Park Commissioner be directed by his Honor the Mayor to set aside for the use of veterans of World War I and World War II a portion of the Fairview Cemetery in Hyde Park.

Passed under suspension of the rules.

BOSTON COMMON STATION.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to communicate with the new Metro Commissioners of the Boston Elevated and request that the name of the Park Street Subway Station be changed to the Boston Common Station.

Passed under suspension of the rules.

INCREASE IN PENSIONS.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to direct the officials of the Boston Retirement System to grant an increase in pensions to compensate for the increased cost of living.

Passed under suspension of the rules.

ADMITTANCE TO KINDERGARTEN.

Coun. COOK offered the following:

Ordered, That the School Committee and the Superintendent of Boston Schools be requested, through his Honor the Mayor, to reduce the entering age for admittance to kindergarten, especially in those cases where the child has sufficient intelligence and it is necessary that the mother work to support the family.

Passed under suspension of the rules.

CLEANING CATCH-BASINS, WARD 9.

Coun. SULLIVAN offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to arrange to have all the catch-basins in Ward 9 immediately cleaned.

Passed under suspension of the rules.

THE NEXT MEETING.

On motion of Councilor Sullivan, the Council voted that when it adjourned it be to meet on Monday, September 15, 1947, at 2 p. m.

VETERANS' NATIONAL CEMETERY.

Coun. LINEHAN, COFFEY, COOK, LANE, MADDEN and MORIARTY offered the following:

Whereas, Many sections of the United States are provided with national cemeteries where deceased war veterans who sacrificed their lives can be laid to rest in a manner that will perpetuate their sacrifices and make it possible for families of deceased war veterans to visit their graves without traveling many miles away; and

Whereas, New England has not been provided with a National Cemetery by Congress; therefore, be it

Resolved, That the Boston City Council go on record requesting Congress to designate a section of Metropolitan Boston as a National Cemetery, so that the families of deceased war veterans from New England will not have to make a long journey to visit the graves of said war heroes; and be it further

Resolved, That copies of this resolution be sent to the President of the United States and the New England members of the United States Congress.

Passed under suspension of the rules.

HEAD HOUSE PIER.

Coun. LINEHAN and SCANNELL offered the following:

Ordered, That his Honor the Mayor request the Corporation Counsel to furnish the Boston City Council with a legal opinion as to whether or not the income of the Parkman Fund could be used for the purpose of reconstructing the now dilapidated Head House Pier which adjoins Marine Park, South Boston.

Passed under suspension of the rules.

SIDEWALK AT OLD COLONY AVENUE AND MILE ROAD.

Coun. LINEHAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct a concrete sidewalk about six feet in width alongside the City of Boston weighing station at the intersection of Old Colony avenue and the Mile road, so that pedestrians will not have to step out in front of automobile traffic when they use the new steel stairways being constructed at said location, leading up to the Columbia Rapid Transit Station.

Passed under suspension of the rules.

ACCEPTANCE OF SOUTH WORTHINGTON STREET.

Coun. CAREY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out South Worthington street, Ward 10, as a public highway.

Passed under suspension of the rules.

ACCEPTANCE OF WHITNEY PLACE.

Coun. CAREY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Whitney place, Ward 10, as a public highway.

Passed under suspension of the rules.

LEGAL BOOKS FOR CITY COUNCIL.

Coun. LINEHAN offered the following:

Ordered, That the City Messenger be directed to obtain and keep in his office for ready reference for the members of the City Council the Massa-

chusetts Annotated Laws, the current annual Blue Books, so called, and, during the sessions of the Legislature, the House and Senate Bills, Journals and Bulletin; the expense to be charged to the appropriate item for City Council, C-10, Library.

Passed under suspension of the rules.

FENCE NEAR COLUMBIA RAPID TRANSIT STATION.

Coun. LINEHAN offered the following:

Whereas, A steel stairway for pedestrians is being constructed from Old Colony avenue, under the Mile Road bridge, to the upper level of Columbia road, near the Columbia Rapid Transit Station, which, when constructed, will result in many people walking from Old Harbor Village along the sidewalk from Lynch's gasoline station to the said steel stairway which adjoins the New York, New Haven & Hartford Railroad tracks; and

Whereas, There is no fence of any kind adjoining the tracks to protect children from being struck by trains; therefore, be it

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct a chain link fence separating the railroad tracks from the sidewalk from Lynch's gasoline station down to the new steel stairways being constructed at Old Colony avenue and the Mile Road, under the bridge near Columbia Rapid Transit Station; and be it further

Ordered, That, in the event the Commissioner of Public Works has no jurisdiction over the aforementioned matter, he request the New York, New Haven & Hartford Railroad to construct said fence.

Passed under suspension of the rules.

BUS TRANSPORTATION FOR SCHOOL CHILDREN.

Coun. LINEHAN and HANNON offered the following:

Ordered, That the Boston School Committee be requested, through his Honor the Mayor, to make provision for bus transportation for school children living in the veterans' temporary housing project located at Columbia Village.

Passed under suspension of the rules.

LOW INCOME FAMILIES IN OLD COLONY HOUSING PROJECT.

Coun. LINEHAN offered the following:

Whereas, Under section 304 of Title III of the Lanham Act, the Federal Public Housing Administrator is authorized to sell war housing projects for cash or credit, and Congress, under section 4 of Title I, has directed that such housing be sold or disposed of as expeditiously as possible, and it is further provided that, unless specifically authorized by Congress, war housing projects such as the Old Colony Project shall not be conveyed to any public or private agency organized for slum clearance or to provide subsidized housing for persons of low income; and

Whereas, the Federal Public Housing Administrator through its agent in Boston has informed the Boston Housing Authority that said Old Colony Project must be reserved before July 1, 1947, for low rent use or it will be placed on the list for sale as expeditiously as possible; therefore, be it

Ordered, That his Honor the Mayor request the Boston Housing Authority to make application to the Federal Public Housing Administrator to reserve the Old Colony Housing Project to be used for housing low income families subject to an act of Congress confirming the transfer of said Old Colony Project to the Boston Housing Authority. Present tenants in the Old Colony Project would then be protected until final disposition by Congress of said project.

Passed under suspension of the rules.

MONTHLY REPORTS FROM BOSTON HOUSING AUTHORITY.

Coun. LINEHAN offered the following:

Whereas, Many months have gone by since the City of Boston appropriated \$10,000,000 for veterans' housing and up to recently no progress reports on the construction of homes for veterans out of this appropriation has been submitted to his Honor the Mayor and members of the Boston City Council; and

Whereas, A constant check or reminder to the Mayor and City Council will call their attention to the speed or delay exercised by the Boston Housing Authority relative to constructing said homes under the veterans' housing program; therefore, be it

Ordered, That his Honor the Mayor request the Boston Housing Authority to submit a progress report once a month relative to the construction of said houses under the City of Boston's veteran housing program.

Passed under suspension of the rules.

LOAN FOR DEPARTMENTAL EQUIPMENT.

Coun. SULLIVAN called up, No. 1, under unfinished business from the Calendar, viz.:

1. Order for loan of \$380,000 for departmental equipment.

On August 18, 1947, the foregoing order was read once and passed, yeas 16, nays 0.

The question came on giving the order its second reading. The order was given its second reading and passage, yeas 19, nays 0:

Yeas—Councilors. Bayley, Bryan, Cantwell, Carey, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, Moriarty, Muchnick, Russo and Sullivan—19.

Nays—0.

PERMISSION TO BUILD STRUCTURE OVER SEWERAGE WORKS.

Coun. FISH called up No. 3, under unfinished business, from the Calendar, viz.:

3. Order to grant license to Alessandro Zanetti *et ux.*, to construct structure over sewerage works on Bowman street, Dorchester.

On August 18, 1947, the foregoing order was read once and passed—yeas 16, nays 0.

The question came on giving the order a second reading.

The order was given its second reading, and passage, yeas 19, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, Moriarty, Muchnick, Russo and Sullivan—19.

Nays—0.

OFF-STREET PARKING FACILITIES AND PURCHASE OF EASTERN AVENUE WHARF.

On motion of Councilor Sullivan the Council took from the table Nos. 1 and 2 on the Calendar, viz.:

1. Order to rescind loan order for \$5,000,000 for off-street parking facilities.

2. Order for appropriation of \$75,000 for acquisition of Eastern Avenue Wharf.

On motion of Councilor Sullivan the Council referred the several orders to the Executive Committee.

BASEBALL GAMES FOR CHARITY.

Coun. BAYLEY offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of recommending to the Boston American and National League Baseball Clubs that they play a city series after their regular season has terminated, the proceeds of which to be donated to worthy charities which will benefit the children and citizens of Boston.

Passed under suspension of the rules.

RESTORATION OF ZOO.

Coun. BAYLEY and BRYAN offered the following:

Ordered, That his Honor the Mayor be requested to urge the Trustees of the George Robert White Fund to favorably consider the expenditure of funds for the restoration of the Franklin Park Zoo, rather than spending of this money for the erection of a Museum of Natural History.

Passed under suspension of the rules.

COAL CONTRACTS.

Coun. KEENAN offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to check into the contracts between 1937 and 1946, which were awarded the various coal companies, to ascertain whether or not the city has been over-charged on any contract.

Passed under suspension of the rules.

SCAGNOLI-NIHILL SQUARE.

Coun. MORIARTY offered the following:

Ordered, That his Honor the Mayor submit to the Veterans Memorial Committee the names of two deceased veterans of World War II, P. F. C. Walter H. Scagnoli and Sgt. Robert Nihill, and that their services to their country be so recognized by naming the junction of Washington street and Williams street, Jamaica Plain, Scagnoli-Nihill Square.

Passed under suspension of the rules.

CLEANING CATCH-BASINS, WARD 19.

Coun. McCORMACK offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to arrange for the immediate cleaning of all catch-basins in Ward 19.

Passed under suspension of the rules.

TREES FOR PLAYGROUND AT OAK SQUARE.

Coun. MADDEN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to plant trees, about twelve feet apart, along the borders of the playground at Oak square, Brighton.

Passed under suspension of the rules.

RETIREMENT OF PARK COMMISSIONER WILLIAM P. LONG.

Coun. MUCHNICK offered the following:

Resolved, That the Boston City Council in meeting assembled expresses its sincere regret that ill health necessitated the retirement of former Park Commissioner William P. Long and extends to Mr. Long its thanks for his loyal and outstanding service to the City of Boston during his years as Park Commissioner under several different administrations.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Hurley the members voted to take a recess at 3.35 p. m., subject to the

call of the Chair. The members reassembled and were called to order by President KELLY at 3.55 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) on transfer appropriation of \$15,000 from the Special Appropriation, Reserve Fund, to Special Appropriation, Public Celebrations—that same ought to pass.

2. Report on message of Mayor and order (referred today) for transfer of appropriation of \$7,000 from Public Buildings Department, General Repairs, to County of Suffolk, County Buildings—that same ought to pass.

3. Report on message of Mayor and order (referred today) for appropriation of \$7,000 from Contingent Fund to be expended under the direction of the Mayor for celebration of "Rededication Week"—that same ought to pass.

4. Report on message of Mayor and order (referred today) for transfer of appropriation of \$7,500 from the Reserve Fund to Mayor, Office Expenses, A-2, Temporary Employees—that same ought to pass.

Reports accepted, and the question came on the passage of the orders. The orders were severally passed—yeas, 16; nays, 0.

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Linehan, Muchnick, Russo and Sullivan—16.

Nays—0.

5. Report on message of Mayor, ordinance and order (referred today) on the establishment of leases for the Market Division, Public Buildings Department and the establishment of rates—that same ought to pass.

Report accepted, and said ordinance and order passed.

6. Report on message of Mayor and order (referred today) for acceptance of section 16 of chapter 544 of the Acts of 1947, in re contract with Metropolitan Transit Authority on use of street railway lines in Hyde Park—that same ought to pass.

Report accepted, and said order passed.

REPORT OF THE COMMITTEE ON CLAIMS.

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

Report on petition of Arthur E. Reeves (referred August 4), to be reimbursed for amount of execution against him on account of his acts as operator of a motor vehicle belonging to the Police Department—recommended passage of the accompanying order.

Ordered, That the sum of nine hundred ninety-six dollars and forty-one cents (\$996.41) be allowed and paid to Arthur E. Reeves 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.

On motion of Councilor Bayley, the Council adjourned at 4 p. m., to meet on Monday, September 15, 1947.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 15, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Cook, Fish, and Muchnick.

The meeting was opened with the salute to the Flag.

JURORS DRAWN.

Jurors were drawn, Councilor Linehan and Councilor Bayley presiding at the box, in the absence of the Mayor, viz.:

One hundred forty-four traverse jurors, Superior Civil Court, to appear October 6, 1947:

Alfred Capobianco, Ward 1; Newell L. Thompson, Ward 1; Wesley C. Blackstone, Ward 2; Edward J. Canny, Ward 2; James W. Duggan, Ward 2; John J. McDonald, Ward 2; Anderson Smith, Ward 2; George E. Wylie, Ward 2; William Barroll, Ward 3; Giuseppe Cicerone, Ward 3; Harold L. Dennis, Ward 3; Armando Iennaco, Ward 3; Anthony Lombardozzi, Ward 3; Albert Porcello, Ward 3; Carmine Tordiglione, Ward 3; James J. Capeless, Ward 4; John J. Collias, Ward 4; Giles Joseph Cooper, Ward 4; James C. Hall, Ward 4; John Lewis, Ward 4; Hugh F. Levering, Ward 4; Robert J. Smith, Ward 4; George T. Whitehouse, Ward 4; Ernest M. Young, Ward 4; Hyman Eskot, Ward 5; George V. Gorder, Ward 5; Timothy L. Hurley, Ward 5; Albert C. Wilkinson, Ward 5; Theodore Mickle, Ward 6; John Nawoichyk, Ward 6; Peter Notrem, Ward 6; Joseph P. Dowling, Ward 7; Edward F. Faunt, Ward 7; Patrick F. Healy, Ward 7; William H. Kiley, Ward 7; William P. McDonough, Ward 7; Joseph F. Serrilla, Ward 7; Walter M. Conley, Ward 8; Louis C. Dalche, Ward 8; Bernard Paduch, Ward 8; Earl W. Pollard, Ward 8; John I. Stevenson, Ward 8; Harry Brooks, Ward 9; George W. Carmichael, Ward 9; Frank V. P. Greene, Ward 9; James W. Kane, Ward 9; Edward P. Syms, Ward 9; William Washington, Ward 9; Thomas M. Civetta, Ward 10; Patrick Dunford, Ward 10; James Martin, Ward 10; William J. Mason, Ward 10; Harry A. Williams, Ward 10; Louis M. DelGrosso, Ward 11; Anthony J. Iantosca, Ward 11; Gustav F. Larson, Ward 11; Peter J. McDonough, Ward 11; Albert J. McGilvary, Ward 11; William H. McInnes, Ward 11; Preston A. Stoddard, Ward 11; Joseph Cohen, Ward 12; William A. Jackson, Ward 12; Thomas J. Gorman, Ward 13; Francis E. McDonough, Ward 13; Michael D. McNiff, Ward 13; Paul H. O'Shea, Ward 13; Joseph B. Strokoskas, Ward 13; John W. Walsh, Ward 13; Edward Belkin, Ward 14; Michael Clemens, Ward 14; Benjamin Cohen, Ward 14; Charles H. Edelman, Ward 14; Harold B. Morse, Ward 14; Samuel Sadofsky, Ward 14; Solomon Schneider, Ward 15; Charles Wartel, Ward 14; James W. Burge, Ward 15; Patrick J. Colbert, Ward 15; Harvey M. Fraser, Ward 15; James Gavin, Ward 15; Ivar-Conrad Lignell, Ward 15; James S. Snyder, Ward 15; Anthony G. Soued, Ward 15; Isadore Wishnow, Ward 15; Knute G. Bjorklund, Ward 16; Carl R. Campbell, Ward 16; John J. Campbell, Ward 16; Gerard T. Coveney, Ward 16; Kermit R. Houghton, Ward 16; George M. Kincaide, Ward 16; Thomas McElman, Ward 16; Thomas J. Mee, Ward 16; Dennis E. Miller, Ward 16; Adelbert Nye, Ward 16; Henry F. Reddington, Ward 16; Cletus C. Stanley, Ward 16; Arthur D. Timmins, Ward 16; Timothy F. Dowd, Ward 17; Morris Finkelstein, Ward 17; Dean F. Hurley, Ward 17; John A. McElaney, Ward 17; Philip McMorrow, Ward 17; Edward F. McNamara, Ward 17; Chester B. McPherson, Ward 17; Charles F. Most, Ward 17; Edward G. Mowles, Ward 17; John F. O'Keefe, Ward 17; John H. Anthony, Ward 18; Joseph Barry, Ward 18; Samuel L. Bassin, Ward 18; Harry Bladd, Ward 18; Harold L. Bowman, Ward 18; J. Albert Cassidy, Ward 18; Thomas J.

Erhard, Ward 18; Robert F. Jardine, Ward 18; Victor D. Kreitan, Ward 18; Joseph Marshall, Ward 18; William Michel, Ward 18; Hyman Pollack, Ward 18; David Schuman, Ward 18; James J. Sullivan, Ward 18; Walter E. Trask, Ward 18; Walter G. Davis, Ward 19; George J. Day, Ward 19; James Foley, Ward 19; George W. Masters, Ward 19; Martin O'Toole, Ward 19; Joseph J. Caruso, Ward 20; Joseph A. Dolan, Jr., Ward 20; Thomas M. Kelley, Ward 20; Charles W. Seaverns, Ward 20; John L. Allen, Ward 21; Dennis Favreau, Ward 21; Hugh F. Yeager, Ward 21; Emery Douglas, Ward 22; Ralph M. Elliot, Ward 22; E. Victor Fournier, Ward 22; John H. Lynch, Ward 22; Terrence F. McGovern, Ward 22; Thomas H. McVey, Jr., Ward 22; Joseph T. Rea, Ward 22; Louis Rubbico, Ward 22; Robert Taylor, Ward 22; James J. Walsh, Ward 22.

Sixty traverse jurors, Superior Criminal Court, to appear October 6, 1947:

Daniel T. Ahern, Ward 1; Joseph A. Cardillo, Ward 1; Dominick Cardullo, Ward 1; Marshall Gentile, Ward 1; Walter A. Havey, Ward 1; Albert C. Knox, Ward 1; Richard Hogan, Ward 2; Joseph Cefalo, Ward 3; Marco Lerra, Ward 3; Anthony Sabella, Ward 3; Richard Thomas, Ward 3; Walter Stenhouse, Ward 4; Charles F. Boben, Ward 6; Thomas F. Dowling, Ward 7; Frank Grenis, Ward 7; George MacDonald, Ward 7; Francis J. Yetman, Ward 7; George J. Bourassa, Ward 8; John R. Jenkins, Ward 8; James J. Canning, Ward 9; Joseph F. Downey, Ward 9; Luke J. Hoban, Ward 9; John J. Roche, Ward 10; Edwin E. W. Boughter, Ward 11; George F. Forest, Ward 12; Carl Ludwig, Ward 12; Lawrence H. Reed, Ward 12; Edward Shaehat, Ward 12; Joseph Berlin, Ward 13; Lawrence C. Davis, Ward 13; Edmond L. Finn, Ward 13; Joseph W. Gillis, Ward 13; John J. Melanaphy, Ward 13; Charles A. Woluskey, Ward 13; Paul Bourne, Ward 14; Arthur J. Chaisson, Ward 14; Edward F. Doyle, Ward 14; Charles Goldsmith, Ward 14; Benjamin Margolis, Ward 14; Morris Rich, Ward 14; Charles Sibulkin, Ward 14; Thomas Munnely, Ward 15; John J. Curley, Ward 16; John S. Hawkins, Ward 16; Richard L. McClennan, Ward 16; Frederick D. Sargent, Ward 16; Sam Srednick, Ward 17; Hyman O. Steinberg, Ward 17; Charles A. Andrews, Ward 18; Harry Cohen, Ward 18; William J. Deagle, Ward 19; John H. Keleher, Ward 19; Louis Antonio Leonard, Ward 19; Frederick W. A. Merz, Ward 19; Frank A. Cook, Ward 21; Oswald F. Paris, Ward 21; Patrick J. Corey, Ward 22; John Davenport, Ward 22; Vincent Erti, Ward 22; James Patrick Rooney, Ward 22.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Goods, for the term ending April 30, 1948: Otto Otterson, 300 Marginal street, East Boston, Mass.; Melvin M. Gross, 1135 Commonwealth avenue, Allston, Mass.; Samuel Cohen, 25 Fessenden street, Mattapan, Mass.; Joseph P. Bulman, 559 Pleasant street, Malden, Mass.; Alexander J. MacDonald, 119 Montvale avenue, Woburn, Mass.; Edward J. Doherty, 27 Craigie street, Somerville, Mass., and Cyril A. Wood, 239 Pleasant street, Arlington, Mass.

Severally referred to the Committee on Constables and Confirations.

WITHHOLDING TAX ON TEMPORARY EMPLOYEES.

The following was received:

City of Boston,

Office of the Mayor, September 12, 1947.

To the City Council,

Gentlemen,—I transmit herewith communication from the Law Department relative to your order dated August 4, 1947, concerning Federal Withholding Taxes from the salaries of temporary city employees.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Law Department, September 10, 1947.
Hon. John B. Hynes,

Temporary Mayor of Boston.

Dear Sir,—You forwarded to me a copy of the City Council order of August 4, 1947, requesting this department to confer with the Federal Internal Revenue Department regarding the legality of withholding tax from the wages of temporary city employees whose gross yearly wages are less than \$500 per year.

I have conferred with the Internal Revenue Service and have ascertained that every employer, the City of Boston not excepted, is required to deduct and withhold such tax under the Tax Payment Act of 1943. The fact that temporary employees would receive from the city a gross income not to exceed \$500 for the year would not exempt their wages from the withholding tax.

Very truly yours,

JOSEPH A. SCOLPONETTI,
Corporation Counsel.

Placed on file.

REPAIRS TO OLD ENGINE HOUSE NO. 27.

The following was received:

City of Boston,
Office of the Mayor, September 3, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Law Department relative to your order dated August 4, 1947, concerning the legality of the city's undertaking repairs to the old engine house No. 27 on Elm street, Charlestown, now under lease to the Disabled American Veterans' Post No. 71.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Law Department, August 28, 1947.
Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Mr. Connors,—On August 4, 1947, you transmitted to me for consideration and report an order of the City Council "that his Honor the Mayor be requested to seek an opinion from the City of Boston Law Department as to the legality of the city undertaking repairs to the old engine house No. 27 on Elm street, Charlestown, now under lease to the Disabled American Veterans' Post No. 71."

As I understand the matter, the veterans' post is in complete possession of the premises as tenant at will. In my opinion the city has, in these circumstances, the power to make repairs, but is under no duty to do so.

Yours very truly,

JOSEPH A. SCOLPONETTI,
Corporation Counsel.

Placed on file.

TREES FOR PLAYGROUND AT OAK SQUARE.

The following was received:

City of Boston,
Office of the Mayor, September 11, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Park Department relative to your order of September 3, 1947, concerning the planting of trees along the borders of the playground at Oak square, Brighton.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, September 9, 1947.
J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I acknowledge your memorandum of September 8 with attached order from the City Council requesting the Park Commission to plant trees about 12 feet apart, along the borders of the playground at Oak square, Brighton.

A contract has been let to dig 25 tree holes within the area of the Oak Square Playground, Brighton. The tree pits will then be filled with loam and later this fall, at the proper time, trees will be planted

along the border of the playground, about 40 feet apart, which has worked out as a satisfactory distance for the placing of trees.

Very truly yours,

JOHN J. MURPHY, Chairman.

Placed on file.

TRAFFIC CONDITIONS AT EDWARD EVERETT SQUARE.

The following was received:

City of Boston,
Office of the Mayor, September 4, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Police Commissioner relative to your order of August 18, 1947, concerning the assignment of traffic officers daily to circle at Edward Everett square, Dorchester, and Massachusetts avenue, between the hours of 7 a. m. and 10 p. m., for the protection of motorists and pedestrians.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Police Department, September 3, 1947.
Hon. John B. Hynes,

Temporary Mayor of Boston.

Dear Mr. Mayor,—In reply to your communication of August 22 concerning Council order of August 18, 1947, as follows:

"Requesting the Police Commissioner to assign traffic officers daily to circle at Edward Everett square, Dorchester, and Massachusetts avenue, between the hours of 7 a. m. and 10 p. m., for the protection of motorists and pedestrians."

please be advised that instructions have been issued for the assignment of a traffic officer at the above location during the hours mentioned.

Respectfully yours,

THOMAS F. SULLIVAN,
Police Commissioner.

Placed on file.

CLEANING CATCH-BASINS, WARDS 9, 19, AND 20.

The following was received:

City of Boston,
Office of the Mayor, September 15, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works concerning your order of September 3, 1947, regarding the cleaning of all catch-basins in Ward 9.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department,
September 9, 1947.

J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—In response to Council order dated September 3, 1947, requesting the Commissioner of Public Works to arrange for the cleaning of all catch-basins in Ward 9, a survey will be made of all catch-basins in Ward 9 that are in need of cleaning and will proceed with the cleaning of same as soon as possible.

Respectfully yours,

ROBERT P. CURLEY,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, September 15, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of September 3, 1947, concerning the cleaning of all catch-basins in Ward 19.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department,
September 9, 1947.

J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—In response to Council order dated September 3, 1947, requesting the Commissioner of Public Works to arrange for the cleaning of all catch-basins in Ward 19, a survey will be made of all catch-basins in Ward 19 that are in need of cleaning and will proceed with the cleaning of same as soon as possible.

Respectfully yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, September 15, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of August 18, 1947, concerning the cleaning of all catch-basins in Ward 20.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department,
September 9, 1947.

J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—In response to Council order dated August 18, 1947, requesting the Commissioner of Public Works to arrange for the cleaning of all catch-basins in Ward 20, a survey will be made of all catch-basins in Ward 20 that are in need of cleaning and will proceed with the cleaning of same as soon as possible.

Respectfully yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Severally placed on file.

SALE OF OLD THOMAS STREET
SCHOOLHOUSE.

The following was received:

City of Boston,
Office of the Mayor, September 3, 1947.
To the City Council.

Gentlemen,—On July 23 of this year, I submitted to your Honorable Body a message and order recommending the sale of the old Thomas Street Schoolhouse at public auction for \$500. Since that time, I have learned that the Public Buildings Department, as recently as 1946, expended approximately \$1,700 in this building for improvements.

In view of this, I do not feel that the building should be sold for this sum, as stated in the order before your Body. The building is now occupied under lease by a Veterans of Foreign Wars organization, and I believe the present situation should continue.

I, consequently, withdraw the order submitted to your Honorable Body on the date above-mentioned, and request that your Honorable Body take no further action in this matter.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Buildings Department,
September 2, 1947.

Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Mr. Mayor,—Referring to our telephone conversation regarding the purchase of the old Thomas Street Schoolhouse by a veteran organization in the proposed sum of \$500, I have to inform you as follows:

During the year 1946 this department spent approximately \$1,700 in this building for carpentry and painting. After completion of the above work the post occupying the premises offered to purchase the quarters in the sum of \$500. At that time I informed his Honor James M. Curley, of the offer. He felt, as I did and do now, that the offer was inadequate in view of our expenditure

of \$1,700 and that the department and the city would be open to justifiable criticism.

I trust that the above explains my attitude in this matter.

Respectfully yours,
JAMES E. SULLIVAN,
Superintendent of Public Buildings.

Referred to the Committee on Public Lands.

DUTCH ELM DISEASE.

The following was received:

City of Boston,
Office of the Mayor, September 15, 1947.
To the City Council.

Gentlemen,—The dreaded Dutch Elm Disease has finally reached the southerly part of Boston, and it is absolutely essential that steps be taken to bring this disease under control. Of the approximate 250,000 trees of all kinds within the boundaries of Boston, it is estimated that about 75,000 of these trees are elms, so that Boston, without its elms, would be at least, in part, a ghost town.

The chairman of the Park Department, as set forth in the attached communication, estimates it will cost \$130,000 to remove 200 dead or diseased elms, and trim all dead branches of 10,000 others. As approximately one half of this estimate is for work to be done on private property, the Law Department has been requested to render an opinion as to whether or not the control of this elm disease, and the removal of the trees on public and private properties, must be borne entirely by the city.

In compliance with the request of the chairman of the Park Department for \$10,000 for the initial start on this work, I am forwarding herewith an order transferring this sum from the Reserve Fund to the Park Department, and recommend consideration and passage of this order by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, September 10, 1947.
Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,—I respectfully request that an appropriation of \$10,000 be made immediately available for the purpose of meeting the initial cost in our effort to control the Dutch Elm Disease in Boston.

There is no known cure for the disease, but there are certain methods for keeping it under control and giving a measure of protection to noninfested trees. When trees are found to be diseased they must, in most cases, be taken down and burned. That is the only effective method of destroying the beetle and preventing the spread of the deadly fungus to other trees. All elm trees should be trimmed of all dead branches so as to put them in as healthy a condition as possible.

We have estimated that the following work should be done on public and private properties before April 1, 1948:

Two hundred dead or diseased elms to be removed at \$150, \$30,000; 10,000 (minimum number) elms to be trimmed at \$10, \$100,000; total, \$130,000.

The amount of \$10,000 herein requested is only for the initial start on this work.

Respectfully yours,
JOHN J. MURPHY, Chairman.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Reserve Fund, \$10,000, to the appropriation for Park Department, B-42, Miscellaneous Services, \$10,000.

Referred to the Executive Committee.

APPROPRIATION FOR AUTOMATIC
TRAFFIC CONTROL SIGNALS.

The following was received:

City of Boston,
Office of the Mayor, September 15, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Traffic Commissioner re-

questing that the sum of \$25,000 be transferred to the appropriation "Automatic Traffic Control Signals in Various Sections of the City." The present appropriation for this purpose is allocated to the program for installing traffic signals at nineteen intersections in various parts of the city. There are other important locations requiring traffic signals which are not represented in the current program. The Traffic Commissioner estimates that these additional installations will cost \$25,000, and I am, therefore, forwarding an order appropriating the sum of \$25,000 from the Special Account, Sales of City Property, and recommend passage by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Traffic Commission, September 12, 1947.
Hon. John B. Hynes,
Mayor of Boston.

Dear Sir,—This department is presently installing traffic signals at nineteen (19) intersections. The cost of these signals has used all of the funds in the non-revenue appropriation "Automatic Traffic Control Signals in Various Sections of the City."

The intersections to be signalized are spread throughout the city but lack of additional funds has prevented us from including important locations in several sections which are not represented in the current program.

The estimated cost of this program is \$25,000. I respectfully request that this amount be transferred from available sources to "Automatic Traffic Control Signals in Various Sections of the City."

Very truly yours,
LEO F. CURLEY, Commissioner.

Ordered, That under the provisions of section 63 of chapter 44 of the General Laws the sum of twenty-five thousand dollars (\$25,000) be, and the same hereby is, appropriated from the Special Account, Sales of City Property, to be expended under the direction of the Traffic Commissioner as follows:

Automatic Traffic Control Signals in Various Sections of the City.....	\$25,000
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Referred to the Executive Committee.

PETITIONS REFERRED.

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

Claims.

Baker's Dress Goods Shop, for compensation for damage to property at 487 Blue Hill avenue, caused by defective maintenance of sewers.

Venusta Buldini, for compensation for damage to property at 1229 Bennington street, caused by falling tree.

Columbia Storage Warehouse Company, for compensation for damage to property caused by defective drainage system.

Helen A. Connors, for compensation for injuries caused by an alleged defect at 180 and 181 Tremont street.

W. E. Crocker, for compensation for damage to car by fire apparatus.

James W. Driscoll, for compensation for injuries caused by an alleged defect at West Broadway.

William F. A. Graham, for refund of deposit on sale of foreclosed real estate at 18 Pitts street.

David Hecht, for compensation for damage to property at 202 and 204 Blue Hill avenue, caused by negligent maintenance of sewer.

Charles Kallas, for compensation for damage to property at 1173-1181 Washington street, caused by defective sewer pipes.

Avalon J. Larsen, for compensation for damage to car by city truck.

Mrs. Harris B. Libby, for compensation for damage to car by city truck.

Lilly Mossman, for compensation for injuries caused by an alleged defect at bath house, City Point.

John P. Murphy, for compensation for damage to car by city truck.

Christo Nasti, for compensation for damage to property at 29 and 31 Blossom street, caused by defective sewer pipes.

Alfonso Petretta, for compensation for collapse of water boiler at 36 Trenton street, caused by water being shut off.

Nathan Sirkin, for compensation for damage to property at 122 George street, caused by negligence of city in maintaining water pipes.

Joseph Stefani, for compensation for damage to property at 2964 Washington street, Roxbury, caused by overflow of sewage.

Albert Fucillo, for compensation for injuries caused by negligent operation of ferry boat "Daniel A. McCormack."

Bridget Heavey, for compensation for damage to property at 21 Hooker street, Allston, caused by water flooding premises.

CONSTABLES' BONDS.

The constables' bonds of William C. Bowles, Benjamin N. Clott, and Philip S. Scarnici, having been duly approved by the City Treasurer, were received and approved.

COMMUNICATION FROM STATE BOARD OF HOUSING.

A communication was received from the State Board of Housing stating that a resolution was adopted approving expenditure of \$20,041 in addition to previous expenditures of \$314,642 by the City of Boston, acting by and through the Boston Housing Authority, for the purpose of providing shelter for veterans.

Placed on file.

NOTICES OF HEARINGS.

Notice was received from the Department of Public Utilities of hearing on petition of the Boston Elevated Railway Company for the operation of motor vehicles between Mattapan square and the plant of the Raytheon Production Corporation, 55 Chapel street, Newton, and between the junction of Dorchester avenue and Park street and the plant of the Raytheon Production Corporation, 55 Chapel-street, Newton.

Notice was received from the Department of Public Utilities of hearing on petition of George A. McLaughlin, Trustee, National Dock Trust, for renewal of restrictions relative to the use of private tracks for transportation of freight on Lewis and Webster streets, East Boston.

Severally placed on file.

ADMINISTRATIVE COMMITTEE OF THE PROBATE COURTS.

Communication from the Supreme Judicial Court designating John C. Leggat of Lowell as chairman of the Administrative Committee of the Probate Courts for a term beginning October 1, 1947, and expiring September 30, 1948.

Communication from the Supreme Judicial Court designating Harry H. Atwood of Worcester to service on the Administrative Committee of the Probate Courts for a term beginning October 1, 1947, and expiring September 30, 1950.

Severally placed on file.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointments of Joseph P. Kenney, Richard J. Ryan, and James J. Durkan (referred September 3, 1947) to be Weighers of Goods for the term ending April 30, 1948—that appointments be confirmed.

Report on appointment of Chester K. Wickes (referred September 3, 1947) to be a Weigher of Coal for the term ending April 30, 1948—that appointment be confirmed.

The reports were accepted, and the question came on confirmation of the appointments. Committee, Councilors Kinsella and Bryan. Whole number of ballots 13, yeas 13, nays 0, and the appointments were confirmed.

Report on appointment of Herman M. Finer (referred September 3, 1947) as Constable authorized to serve civil process upon filing of bond for term ending April 30, 1948—that appointment be confirmed.

The report was accepted, and the question came on confirmation of the appointment. Committee, Councilors Russo and Bayley. Whole number of ballots 13, yeas 12, nays 1, and the appointment was confirmed.

REPORT OF THE COMMITTEE
ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

On petition of the Eastern Massachusetts Street Railway Company (referred August 18, 1947) for license to operate motor vehicles between Neponset avenue, near Gallivan Boulevard, and Fields Corner Station—recommending that license be granted.

Report accepted, and license granted.

ACCEPTANCE OF STREETS, WARD 18.

Coun. CANTWELL 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 Kennebec street and Colorado street, Ward 18.

Passed under suspension of the rules.

INVESTIGATION OF HIGH PRICES OF
NECESSARIES OF LIFE.

Coun. KEENAN offered the following:

Ordered, That his Honor the Mayor be requested to communicate with the Attorney-General of the United States, Hon. Tom Clark, urging him to send agents from his department to investigate the high prices of food, clothing, and other necessities of life in the City of Boston.

Passed under suspension of the rules.

INCREASED COMPENSATION FOR WATCH-
MEN, PUBLIC WORKS DEPARTMENT.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to direct the Commissioner of Public Works to provide an increase in compensation for the watchmen of that department to compensate for the increased cost of living.

Passed under suspension of the rules.

INCREASED COMPENSATION FOR CER-
TAIN EMPLOYEES, BUILDING DE-
PARTMENT.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor direct that the salaries of the inspectors of the Building Department be increased to thirty-five hundred dollars (\$3,500) per annum, and that the salaries of construction engineers, all supervisors, and all chiefs of divisions of the Building Department be increased to four thousand dollars (\$4,000) per annum.

Passed under suspension of the rules.

TRANSPORTATION FOR SCHOOL
CHILDREN AT CAMP McKAY.

Coun. HANNON and LINEHAN offered the following:

Ordered, That his Honor the Mayor request the School Committee to provide transportation for children in the Camp McKay Housing Project who attend the lower grades of school.

Passed under suspension of the rules.

RENT CONTROL.

Coun. COOK, by Coun. HANNON, offered the following:

Whereas, A test case is to be tried by attorneys for landlords to upset the present Federal rent control act as being unconstitutional on the grounds that the war has been declared over; and

Whereas, There is no state rent control act in the Commonwealth of Massachusetts at the present time; therefore be it

Resolved, That the Boston City Council in meeting assembled do hereby request the Governor of Massachusetts to call a special session of the Great and General Court to enact an immediate state rent control act to protect thousands of tenants who will suffer in the event that the Federal rent control act is declared unconstitutional.

Passed under suspension of the rules.

SPECIAL SESSION OF GENERAL COURT
FOR RENT CONTROL.

Coun. COOK, by Coun. HANNON, offered the following:

Ordered, That the Governor of the Commonwealth of Massachusetts be requested, through his Honor the Mayor, to call a special session of the General Court for the purpose of establishing a state rent control act in Massachusetts.

Passed under suspension of the rules.

RENT AND INCOME SCHEDULES.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to ask the Boston Housing Authority to furnish copies of the most up-to-date rent and income schedules for low income developments to the members of the Boston City Council.

Passed under suspension of the rules.

ACCEPTANCE OF 40-HOUR WEEK.

Coun. LINEHAN offered the following:

Ordered, That chapter 649 of the Acts of 1947 entitled "An Act Authorizing a Forty-Hour-Work-Week for Employees of Certain Cities and Towns," be, and hereby is, accepted.

Referred to the Executive Committee.

VETERANS' HOUSING PROGRAM.

Coun. LINEHAN and CANTWELL offered the following:

Ordered, That his Honor the Mayor request the members of the Boston Housing Authority to consider the advisability of building two-family houses for veterans and their families out of the \$10,000,000 Veterans' Housing Program, on both sides of American Legion Highway, in the Ward 18 section.

Passed under suspension of the rules.

SIDEWALKS ON I STREET, SOUTH BOSTON.

Coun. LINEHAN offered the following:

Ordered, That his Honor the Mayor request the Public Works Commissioner to install granolithic sidewalks on I street, South Boston, from East Sixth street to Columbia road, Ward 7.

Passed under suspension of the rules.

GREAT PIER BRIDGE AT SOUTH BOSTON.

Coun. LINEHAN and SCANNELL offered the following:

Whereas, The Great Pier Bridge at City Point is considered part of Marine Park, South Boston; and

Whereas, Said bridge has become very defective and dangerous due to its collapse in many sections; and

Whereas, The George F. Parkman Fund provides income for the maintenance of parks and

playgrounds in existence as of January 12, 1887, which included Marine Park, South Boston; therefore be it

Ordered, That his Honor the Mayor request the transfer from the income of the George F. Parkman Fund a sufficient sum of money to provide for the repair and reconstruction of said Great Pier at Marine Park, South Boston, so that on completion of said work this present existing dangerous and defective eyesore to the community will be once again placed in useful and safe condition for the benefit of the thousands of citizens of Boston.

Passed under suspension of the rules.

AUTOMATIC TRAFFIC SIGNALS AT CHESTNUT HILL AVENUE.

Coun. MADDEN, by Coun. BRYAN, offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the corner of Chestnut Hill avenue and Chiswick road, Brighton.

Passed under suspension of the rules.

CHAIRMAN, EXECUTIVE COMMITTEE.

Coun. RUSSO appointed Acting Chairman of the Executive Committee by the Chair.

RECESS.

On motion of Councilor Scannell the members voted to take a recess at 3 p. m., subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 3.30 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) on transfer of appropriation of \$10,000 from Special Appropriation, Reserve Fund, to Park Department, *re* Dutch Elm disease—that same ought to pass.

2. Report on message of Mayor and order (referred today) on the appropriation of \$25,000 for the Traffic Department for automatic traffic signals—that same ought to pass.

Reports accepted, and the question came on the passage of the orders. The orders were severally passed, yeas 13, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Hannon, Hurley, Keenan, Kelly, Linehan, Russo, Scannell, and Sullivan—13.

Nays—0.

STATION 16 HOSTLERS.

Coun. CAREY offered the following:
Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to devise some plan whereby the men employed as hostlers in Station 16 might be given time off or compensation for work on holidays.

Passed under suspension of the rules.

THE NEXT MEETING.

On motion of Councilor Sullivan, the Council voted that when it adjourns, it be to meet on Monday, September 29, 1947, at 2 p. m.

REPAVING STREETS IN WARD 4.

Coun. CHASE offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave the following streets in Ward 4, with smooth type asphalt pavement: Westland avenue, St. Stephen street, Falmouth street, West Newton street, and Belvidere street.

Passed under suspension of the rules.

On motion of Councilor Sullivan, the Council adjourned at 3.35 p. m., to meet on Monday, September 29, 1947.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 29, 1947.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Fish and McCormack.

The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

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

Weighters of Coal, for term ending April 30, 1948: Ralph G. Magin, 291 Commonwealth avenue, Boston, Mass.; Daniel J. O'Donnell, 123 Lansder street, West Roxbury, Mass.; Frieda L. Sacks, 16 Speneer street, Dorchester, Mass.

Weighters of Goods, for term ending April 30, 1948: Robert N. Black, 22 Dearborn street, Medford, Mass.; Martin H. Dunne, 19 Hallam street, Dorchester, Mass.; Daniel J. O'Donnell, 123 Lansder street, West Roxbury, Mass.; Carl H. Rauscher, 89 Central avenue, Milton, Mass.; George A. Rauscher, 63 Union avenue, Jamaica Plain, Mass.

Severally referred to the Committee on Constables and Confirmations.

LEVERETT STREET, ONE WAY.

The following was received:

City of Boston,

Office of the Mayor, September 23, 1947.

To the City Council,

Gentlemen,—I transmit herewith communication from the Traffic Commissioner in answer to your order of July 7, 1947, concerning the making of Leverett street one way.

Respectfully,

J. B. HYNES,
Temporary Mayor.

City of Boston,

Traffic Commission, September 19, 1947.

Hon. John B. Hynes,

Mayor of Boston.

Dear Sir,—In reply to Council order requesting the Boston Traffic Commissioner to consider the advisability of making Leverett street one way, from Charles street to Green street, please be advised that this matter was submitted to a meeting of the Boston Traffic Commission on Wednesday, September 17, 1947, and it was unanimously voted to make Leverett street one way as requested.

Respectfully submitted,

LEO F. CURLEY, Commissioner.

Placed on file.

INSTALLATION OF TRAFFIC LIGHTS, WARD 13.

The following was received:

City of Boston,

Office of the Mayor, September 17, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of August 18, 1947, relative to the installation of traffic lights at Savin Hill and Dorchester avenues, and at Quincy street and Blue Hill avenue, Ward 13.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,

Traffic Commission, September 15, 1947.

Hon. John B. Hynes,

Mayor of Boston.

Dear Sir,—In reply to Council order of August 18, 1947, requesting the Boston Traffic Com-

mission to proceed with the installation of traffic lights at Savin Hill avenue and Dorchester avenue, and at Quincy street and Blue Hill avenue, please be advised that it is the intention of this department to signalize both of these intersections within the next few months.

Respectfully submitted,

LEO F. CURLEY, Commissioner.

Placed on file.

USE OF FAIRVIEW CEMETERY BY WORLD WAR VETERANS.

The following was received:

City of Boston,

Office of the Mayor, September 24, 1947.

To the City Council,

Gentlemen,—I transmit herewith communication from the chairman of the Park Department relative to your order of September 3, 1947, concerning the setting aside of a portion of Fairview Cemetery, Hyde Park, for the use of veterans of World War I and World War II.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,

Park Department, September 23, 1947.

J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—I desire to acknowledge your memorandum of September 8, 1947, with inclosure, order from the City Council that the Park Commissioner be directed by his Honor the Mayor to set aside for the use of veterans of World Wars I and II, a portion of the Fairview Cemetery in Hyde Park.

I have given the matter careful consideration and decided it would not be a wise policy to establish more than one lot in over one cemetery for the veterans of World Wars I and II.

At the present time we have such a lot in Mount Hope Cemetery. It is large enough to take care of all the veterans of Boston who wish to be buried in a lot set aside and maintained by the City of Boston.

Another veterans' lot in another section of the city could easily result in other requests for the same consideration in all the sections of the city.

Very truly yours,

JOHN J. MURPHY, Chairman.

Placed on file.

INCREASED PENSIONS.

The following was received:

City of Boston,

Office of the Mayor, September 22, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Retirement Board relative to your order dated September 3, 1947, concerning the granting of an increase in pensions to compensate for the increased cost of living.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,

Retirement Board, September 22, 1947.

J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—In reply to the order of the City Council requesting the Mayor to direct the Retirement Board to grant an increase in pension to retired employees, the Board is obliged to call attention to the fact that the amount of the individual pensions is determined by statute and the Board has no power to increase them.

Very truly yours,

W. J. DOYLE, Chairman.

Placed on file.

INCREASED COMPENSATION, PUBLIC WORKS DEPARTMENT WATCHMEN.

The following was received:

City of Boston,

Office of the Mayor, September 24, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works

relative to your order of September 15, 1947, concerning an increase in compensation for the watchmen of the Department of Public Works, to compensate for the increased cost of living.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department,
September 23, 1947.

Hon. John B. Hynes,

Temporary Mayor of Boston.

Dear Mr. Mayor,—In regard to the inclosed Council order of September 15, 1947, requesting the Commissioner of Public Works to provide an increase in compensation for the watchmen of that department to compensate for the increased cost of living, the position of watchman in this department is usually reserved for older men from whom we no longer expect too much in the way of heavy work.

Their employment is very light, and they are classified as laborers, and are paid the same as the laborers who are out on the street doing heavy work.

Mayor Curley last January provided an increase for all employes for the purpose of compensating them for the increased cost of living. We cannot increase this group without increasing the entire labor department.

Respectfully yours,

ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

HOLIDAY COMPENSATION, DIVISION 16 HOSTLERS.

The following was received:

City of Boston,
Office of the Mayor, September 23, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Police Commissioner with respect to your order of September 15, 1947, concerning holiday compensation for hostlers in Division 16.

Respectfully,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Police Department, September 22, 1947.
Temporary Mayor John B. Hynes,
Boston, Mass.

Dear Mr. Mayor,—I return herewith order of the City Council dated September 15, 1947, as follows:

"Ordered, That the Police Commissioner be requested, through his Honor, the Mayor to devise some plan whereby the men employed as hostlers in Division 16 might be given time off or compensation for work on holidays."

Instructions have been given to the commanding officer of Division 16 to allow these hostlers time off for working on holidays.

Respectfully yours,

T. F. SULLIVAN,
Police Commissioner.

Placed on file.

TRANSFER OF FIRE DEPARTMENT PROPERTY TO PUBLIC BUILDINGS DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, September 24, 1947.
To the City Council.

Gentlemen,—I am informed by the Fire Commissioner that he no longer has any use for the land and building at 201 Cabot street, formerly occupied by Engine Company 13.

He recommends that this building be transferred to the Superintendent of Public Buildings.

In view of the fact that the Superintendent of Public Buildings has many requests for buildings of this sort for quarters for veterans' posts, I believe the recommendation of the Fire Commissioner should be followed, and I, therefore, re-

spectfully request adoption of the accompanying order by your Honorable Body.

Respectfully,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Fire Department, September 22, 1947.
Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,—Subject to your Honor's approval I will turn over to the Department of Public Buildings the building and land at 201 Cabot street, corner of Whittier street, Roxbury, formerly occupied as a fire station by Engine Company 13, of this department.

The Fire Department has not used this building as a fire station for several years. It is now unnecessary as a fire station and a needless expense to the Fire Department.

It is my understanding that the Department of Public Buildings intends to lease the building to veterans' posts.

Respectfully yours,

RUSSELL S. CODMAN, JR.,
Fire Commissioner.

Whereas, The Fire Commissioner having determined that the land and building at 201 Cabot street, corner of Whittier street, Roxbury, formerly occupied as a fire station by Engine Company 13, are no longer required for Fire Department purposes;

Ordered, That said land and building are hereby transferred from the Fire Department to the Care, Custody and Control of the Public Buildings Department.

Referred to the Executive Committee.

SIDEWALKS ON I STREET, WARD 7.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of September 15, 1947, concerning the installing of granolithic sidewalks on I street, South Boston, from East Sixth street to Columbia road, Ward 7.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department,
September 25, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council requesting the Commissioner of Public Works to install granolithic sidewalks on I street, South Boston, from East Sixth street to Columbia road, Ward 7, and I regret to advise you that, at the present time, there are no funds available for this type of work.

Very truly yours,

ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

NAMING OF INTERSECTIONS FOR DECEASED VETERANS.

The following was received:

City of Boston,
Office of the Mayor, September 25, 1947.
To the City Council.

Gentlemen,—The Committee appointed in 1946 to recommend the naming of certain intersections in the city in memory of deceased veterans, has forwarded me a recommendation, as herewith attached, that nine intersections in various parts of the city, be named for veterans who sacrificed their lives during the period of World War II in order that liberty and freedom might exist in the world.

I understand the committee has made its recommendations after considering various proposals, and has attempted, insofar as possible, to name intersections in honor of local heroes.

I submit herewith separate orders for the naming of each intersection as recommended, and I respectfully request approval of these orders by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Street Laying-Out Department,
September 22, 1947.

Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Mr. Mayor,—At meeting held on Thursday, September 18, 1947, of the Committee to Memorialize Veterans, it was voted to designate the following intersections in honor of the following veterans of World War II:

SCAGNOLI-NIHILL SQUARE.
Williams and Washington Streets,
Roxbury.

Pfc. Walter H. Scagnoli gave his life in the invasion of Iwo Jima, and Sergeant Robert Nihill, a paratrooper, lost his life in a parachute jump—awarded the Purple Heart; Scagnoli was born at 3504 Washington street and died March 4, 1945; Nihill was born on Kenton road, Jamaica Plain, and died June 8, 1944.

MARIANO FIUMARA SQUARE.
Magazine and George Streets, Roxbury.
Private Fiumara died November 16, 1944, in France.

EDMUND J. FITZGERALD SQUARE.
Dudley, East Cottage, and West Cottage Streets, Roxbury.
Lieutenant Fitzgerald entered action in North Africa, moved later to the Mediterranean area; killed on transport mission after completion of 61 combat missions, death occurred June 14, 1944, at Tyrrhenian Sea.

WALTER J. KEARNEY SQUARE.
American Legion and Cummins Highways,
West Roxbury.

Private Kearney was a member of the 79th Division (Cross of Lorraine), 315th Infantry, 9th Army; killed March 27, 1945, in Germany.

NICHOLAS G. BERAM SQUARE.
La Grange and Washington Streets,
West Roxbury.

N. G. Beram was killed in action in Salerno, Italy, October 9, 1943.

WILLIAM J. GREEN, JR., SQUARE.
Hanover and Commercial Streets,
Boston.

Private Green, member of Battery B, 62nd Armored F. A. Bn., was killed in action, July 9, 1944, in France.

LOUIS T. ZEGHIBE SQUARE.
Harrison Avenue and Oak Street,
Boston.

L. T. Zeghibe, member of the Navy, Plane Squadron, V. T. 305; missing in action April 21, 1944; declared dead January 17, 1946.

ABRAHAM G. EDDY SQUARE.
Washington and East Brookline Streets,
Boston.

Staff Sergeant Eddy, Air Force gunner, was killed en route to India (in northern Ireland), October 10, 1943.

JOSEPH S. GIAMBARRESI SQUARE.
Battery and Hanover Streets, Boston.
Corporal Giambarresi was attached to Company B, 329th Eng. Bn.; killed in action February 23, 1945, in Germany; awarded the Purple Heart.

Notice of the above vote has been forwarded to the City Council for approval.

Very truly yours,
L. W. COSTELLO,
Secretary.

Ordered, That the space at the junction of Williams street and Washington street, Ward 9, be named Scagnoli-Nihill Square, in honor of Pfc. Walter H. Scagnoli and Sergt. Robert Nihill, late veterans of World War II.

Ordered, That the space at the junction of Magazine street and George street, Ward 8, be named Mariano Fiumara Square, in honor of Pvt. Mariano Fiumara, late veteran of World War II.

Ordered, That the space at the junction of Dudley street, East Cottage street and West Cottage street, Ward 8, be named Edmund J. Fitzgerald Square, in honor of Lieut. Edmund J. Fitzgerald, late veteran of World War II.

Ordered, That the space at the junction of American Legion Highway and Cummins Highway, Ward 18, be named Walter J. Kearney Square, in honor of Pvt. Walter J. Kearney, late veteran of World War II.

Ordered, That the space at the junction of La Grange street and Washington street, Ward 20, be named Nicholas G. Beram Square, in honor of Nicholas G. Beram, late veteran of World War II.

Ordered, That the space at the junction of Hanover street and Commercial street, Ward 3, be named William J. Green Jr. Square, in honor of Pvt. William J. Green, Jr., late veteran of World War II.

Ordered, That the space at the junction of Harrison avenue and Oak street, Ward 3, be named Louis T. Zeghibe Square, in honor of Louis T. Zeghibe, late veteran of World War II.

Ordered, That the space at the junction of Washington street and East Brookline street, Ward 8, be named Abraham G. Eddy Square, in honor of Staff Sergt. Abraham G. Eddy, late veteran of World War II.

Ordered, That the space at the junction of Battery street and Hanover street, Ward 3, be named Joseph S. Giambarresi Square, in honor of Cpl. Joseph S. Giambarresi, late veteran of World War II.

Referred to Executive Committee.

CHANGING NAME OF PARK STREET SUBWAY STATION.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the General Manager of the Metropolitan Transit Authority concerning your order of September 3, 1947, regarding the changing of the name of the Park Street Subway Station to Boston Common Station.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

Metropolitan Transit Authority,
Park Square Building,
September 25, 1947.

Mr. W. J. Malloy,
Assistant City Clerk.

Dear Sir,—After careful consideration of the request of the Boston City Council that the name of the Park Street Station be changed to "Boston Common;" the public trustees of the Metropolitan Transit Authority decided to postpone making any change in the name.

The linking up of the Park Street and Boylston Street Stations, both of which serve the Common, by means of a platform so that these two stations would be one, is an improvement suggested for the future. The Legislature has directed the public trustees of the Authority to make a study of this improvement.

Should the improvement be authorized by the Legislature, a new name for the combined station would then be considered.

Very truly yours,
EDWARD DANA,
General Manager.

Placed on file.

ADDITIONAL APPROPRIATION FOR CONTINGENT FUND.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1947.
To the City Council.

Gentlemen,—I am advised by the City Auditor that the original appropriation for the Contingent

Fund is practically exhausted, and that at least \$50,000 will be required for ordinary charges against this fund during the balance of the year.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Reserve Fund, \$50,000, to the appropriation for Special Appropriation, Contingent Fund, \$50,000.
Referred to the Executive Committee.

ACCEPTANCE OF DEED OF CONVEYANCE OF CHARLESBANK LAND.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1947.
To the Honorable City Council.

Gentlemen,—Under the authority of chapter 371, Acts, 1929, the Commonwealth of Massachusetts, Metropolitan District Commission, extended and enlarged the Charlesbank Park and Playground by filling in the Charles River Basin adjacent to said park and playground and lying between Longfellow Bridge and the Charles River Dam.

The area of land added to the Charlesbank Park and Playground by this filling is approximately 322,475 square feet or approximately 7.40 acres.

The Metropolitan District Commission was authorized and directed to convey this area of filled land to the City of Boston to be used for park and playground purposes. In 1934 the Metropolitan District Commission presented to the City of Boston a deed of conveyance of said land. This deed of conveyance was not presented to the Mayor and Council for acceptance and I am informed that the original deed has been lost and cannot now be found. The Metropolitan District Commission has authorized and executed a confirmatory deed and delivered this confirmatory deed to the City of Boston.

In order for the City of Boston to be the possessor of the legal title to this area of land it is necessary that the City Council give approval to the accompanying order which in effect accepts the deed of conveyance, places the property in the care, custody and control of the Park Department and directs that the deed be recorded in the Registry of Deeds.

I request your consideration and passage of the accompanying order.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Whereas, Pursuant to the provisions of chapter 371, Acts, 1929, the Metropolitan District Commission did widen Charlesbank Park and Playground by filling in the Charles River Basin between Longfellow Bridge and the Charles River Dam; and

Whereas, It is provided in section 6, chapter 371, Acts, 1929, as follows: "Section 6. The commission is hereby authorized and directed to convey in behalf of the commonwealth to the city of Boston so much of the land to be made by filling in the basin as will be bounded on the southeast by the Charlesbank park and playground to be used for park and playground purposes"; and

Whereas, The Metropolitan District Commission in accordance with the terms of said section 6, chapter 371, Acts, 1929, in 1934 delivered to the City of Boston a deed of said lands; and

Whereas, The said deed delivered to the City of Boston by the Metropolitan District Commission in 1934 was not presented to the Mayor and Council for acceptance and as said deed has been lost or destroyed and cannot now be found; and

Whereas, The Metropolitan District Commission has executed and delivered a confirmatory deed of said lands to the City of Boston; now, therefore, it is hereby

Ordered, That the deed of the Commonwealth of Massachusetts, Metropolitan District Commission, dated September 18, 1947, conveyed to the City of Boston approximately 322,475 square feet of land situated at the Charlesbank Park and

Playground under the authority of chapter 371, section 6, Acts, 1929, be, and the same hereby is, accepted; and it is hereby further

Ordered, That the said parcel of land be, and the same hereby is, placed in the care, custody and control of the Park Department of the City of Boston to be used for park and playground purposes; and it is hereby further

Ordered, That the Corporation Counsel of the City of Boston be, and he hereby is, directed to file for recording said deed in the Registry of Deeds for the County of Suffolk.

Referred to the Executive Committee.

TRANSFERS OF APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, September 29, 1947.
To the City Council,

Gentlemen,—The inclosed request for transfer of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Park and Playground Improvements, etc., \$253.64, to the appropriation for Park Department, B-28, Expert, \$253.64.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Reserve Fund, \$3,775, to the appropriation for City Council, B-42, Miscellaneous Services, \$3,775.

Referred to the Executive Committee.

REPAVING OF CERTAIN WARD 4 STREETS.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of September 15, 1947, concerning the repaving with smooth type asphalt pavement the following streets in Ward 4:

Westland avenue, St. Stephen street, Falmouth street, West Newton street, Belvidere street.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department.
September 25, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council requesting the Commissioner of Public Works to repave the following-named streets in Ward 4:

Westland avenue, St. Stephen street, Falmouth street, West Newton street, Belvidere street.

Please be advised that this work will be given consideration by the Highway Division of the Public Works Department.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Beaconside Properties, Inc., for compensation for damage to property at 142 Beacon street, caused by defective sewer pipes.

Rosalie Borkow, for compensation for damage to car by city cart.

Boylston Chambers Realty Trust, for compensation for damage to property at 733-757 Boylston street, caused by overflow of sewage.

Mrs. V. Buldini, for compensation for damage to property at 1229 Bennington street, caused by falling tree.

Thomas V. Capisti, to be reimbursed as result of accident which occurred while in performance of duty.

Morris Caswell, for compensation for loss of clothing at City Hospital.

Columbia Storage Warehouse Company, for compensation for damage to property caused by backing up of sewage.

William L. Cotter, to be reimbursed as result of accident which occurred while in performance of duty.

William H. Cronin, for compensation for injuries caused by an alleged defect in Fayette court.

Edmund Currie, to be reimbursed for execution issued against him.

John Delaney, to be reimbursed as result of accident which occurred while in performance of duty.

Martin Gaputis, for compensation for injuries caused by an alleged defect at L Street Bath House.

Hyman Goldstein, for compensation for damage to car by police car.

William F. Greenwood, to be reimbursed as result of accident which occurred while in performance of duty.

Mary E. Griffin, for compensation for injuries caused by an alleged defect at Roger Clap School.

William D. Hackett, to be reimbursed for execution against him.

Bernard Katz, for refund on fruit license.

Charles Landers, for compensation for damage to property at 88 and 90 Williams avenue, Hyde Park, caused by defective sewer.

Michael F. Laudon, for compensation for damage to car caused by fire truck.

Blanche LeBlanc, for compensation for collapse of water boiler at 17 Marion street, East Boston, caused by water being shut off.

Stephen Lepecevic, for compensation for injuries caused by an alleged defect at L Street Bath House.

James Martell, for compensation for damage to property at 116 Hancock street, caused by fire truck.

Mary MacSwan, for compensation for injuries caused by an alleged defect in Essex street.

Margaret V. Mahan, for compensation for damage to property at 80 Green street, caused by broken water main.

John L. Morrison, to be reimbursed as result of accident which occurred while in performance of duty.

Anna Murphy, for compensation for injuries caused by an alleged defect at 161 Beacon street.

Harry A. Nickerson, for compensation for injuries caused by an alleged defect in Arch street.

Mary Odum, for compensation for damage to property at 37 Lenox street, caused by broken water shut-off.

Charles A. Parsons, for compensation for injuries caused by an alleged defect at 292 K street.

Mary B. Phillips, for compensation for injuries caused by an alleged defect at 179 Summer street.

Michael J. Pikula, for compensation for damage to car by city truck.

Albert F. Ruby for compensation for damage to property caused by backing up of sewage.

Helen Sullivan, for compensation for injuries caused by an alleged defect at 31 Monsignor Denis F. O'Callaghan way.

Wolf Fording & Co., Inc., for compensation for damage to property at 46 Stuart street, caused by backing up of sewage.

APPROVAL OF CONSTABLES' BONDS.

The constables bonds of John A. D'Arcy and Herman M. Finer, having been duly approved by the City Treasurer, were received and approved by the Council.

TRANSIENT VENDOR'S LICENSE.

Notice was received of the issuance by the City Clerk of a transient vendor's license to Paul C. Bragg for sales of health foods, cosmetics, etc., at Tremont Temple Building and New England Mutual Hall.

Placed on file.

PROVISIONAL APPOINTMENT OF GODDARD MORGAN AS FOOD INSPECTOR.

Notice was received from the Health Commissioner of provisional appointment of Goddard Morgan as Food Inspector at \$2,000 a year, effective September 29 1947.

Placed on file.

HEARINGS BEFORE PUBLIC UTILITIES DEPARTMENT.

Notice was received from the Department of Public Utilities of hearing to be held October 9 at 10.30 a. m. on petition of Central Greyhound Lines, Inc., of New York, covering operation between Boston and Hancock.

Notice was received from the Department of Public Utilities of hearing to be held October 16 at 10.30 a. m. on petition of Trustees of New York, New Haven & Hartford Railroad Company for authority to increase all forms of commutation fares (Old Colony Railroad excepted).

Notice was received from the Department of Public Utilities of hearing to be held October 16 at 10.30 a. m. on petition of Trustees of New York, New Haven & Hartford Railroad Company for authority to increase passenger fares on lines of Old Colony Railroad.

Severally placed on file.

REPORT OF SPECIAL COMMISSION ON DIVIDING SUFFOLK COUNTY INTO DISTRICTS.

The following was received:

Boston, September 24, 1947.

To the City Clerk.

Dear Sir,—The Special Commission created under the authority of chapter 182 of the Acts of 1947, charged with the duty of dividing Suffolk County into districts and assigning forty-six (46) representatives thereto, herewith presents its report.

The bi-partisan Special Commission of five members was appointed by His Excellency, Robert F. Bradford. It consisted of Arno I. Drew of West Roxbury, Thomas W. Hoag of Dorchester, Elizabeth W. Pigeon of East Boston, Mary A. Tomasello of Dorchester, and J. Leo Meehan of Revere.

The members of the Special Commission qualified on June 5, 1947, organized by electing Arno I. Drew chairman, and chose former representative George P. Anderson of Boston as secretary. The Commission held a public hearing on September 17, 1947, in the State House, Boston, and later in executive session by a unanimous vote agreed upon its report, which is herewith presented. The figures on the number of legal voters in a given district used in this report are extracted from the State Census of 1945.

This report is also communicated to the Board of Election Commissioners of Boston, and to the City Clerks of Boston, Chelsea, and Revere, and to the Town Clerk of Winthrop.

The Commission creates twenty-five (25) districts and assigns a total of forty-six (46) representatives to the respective districts as follows:

- First Suffolk District, Ward 1, Boston, having 22,712 legal voters, two representatives.
- Second Suffolk District, Ward 2, Boston, having 12,783 legal voters, one representative.
- Third Suffolk District, Ward 3, Boston, having 19,547 legal voters, two representatives.
- Fourth Suffolk District, Ward 4, Boston, having 16,880 legal voters, two representatives.
- Fifth Suffolk District, Ward 5, Boston, having 19,010 legal voters, two representatives.
- Sixth Suffolk District, Ward 6, Boston, having 12,285 legal voters, one representative.
- Seventh Suffolk District, Ward 7, Boston, having 17,101 legal voters, two representatives.
- Eighth Suffolk District, Ward 8, Boston, having 11,480 legal voters, one representative.
- Ninth Suffolk District, Ward 9, Boston, having 13,299 legal voters, one representative.
- Tenth Suffolk District, Wards 10 and 11, Boston, having a total of 30,074 legal voters, three representatives.
- Eleventh Suffolk District, Ward 12, Boston, having 19,679 legal voters, two representatives.

Twelfth Suffolk District, Ward 13, Boston, having 14,112 legal voters, one representative.
 Thirteenth Suffolk District, Ward 14, Boston, having 27,960 legal voters, three representatives.
 Fourteenth Suffolk District, Ward 15, Boston, having 14,352 legal voters, one representative.
 Fifteenth Suffolk District, Ward 16, Boston, having 18,808 legal voters, two representatives.
 Sixteenth Suffolk District, Ward 17, Boston, having 19,344 legal voters, two representatives.
 Seventeenth Suffolk District, Ward 18, Boston, having 23,745 legal voters, three representatives.
 Eighteenth Suffolk District, Ward 19, Boston, having 17,876 legal voters, two representatives.
 Nineteenth Suffolk District, Ward 20, Boston, having 23,116 legal voters, three representatives.
 Twentieth Suffolk District, Ward 21, Boston, having 24,105 legal voters, three representatives.
 Twenty-first Suffolk District, Ward 22, Boston, having 17,884 legal voters, two representatives.
 Twenty-second Suffolk District, Wards 1 and 3, Chelsea, having a total of 8,362 legal voters, one representative.
 Twenty-third Suffolk District, Wards 2, 4, and 5, Chelsea, having a total of 12,505 legal voters, one representative.
 Twenty-fourth Suffolk District, Wards 1, 2, 3, 4, and 5, Revere, having a total of 17,673 legal voters, two representatives.
 Twenty-fifth Suffolk District, Town of Winthrop, having 10,076 legal voters, one representative.
 Respectfully submitted,

ARNO I. DREW, Chairman,
 THOMAS W. HOAG,
 MARY A. TOMASELLO,
 J. LEO MEEHAN,
 ELIZABETH W. PIGEON.

Placed on file.

ACTION OF STATE BOARD OF HOUSING.

Communications were received from the State Board of Housing as to action of the Board in regard to Sawyer avenue, Dorchester, Tileston street, Mattapan, and River street, Mattapan (Contract No. 5).

A communication was received from the State Board of Housing re resolution adopted approving expenditure of \$27,110 at Alsen Village Project, in addition to previous expenditures of \$334,683 by the City of Boston.

Severally placed on file.

REPORT OF FINANCE COMMISSION ON RESULT OF STRAYER SCHOOL SURVEY.

The following was received:

City of Boston,

Finance Commission, September 23, 1947.

To the Honorable the Mayor and City Council.

Gentlemen,—When the Strayer Survey Report was released in October of 1944, its many recommendations in the several areas of the school system immediately set off a series of defenses and recriminations; in some quarters there were expressions of approval. Because of the controversial attitude of the school authorities at that time and to some extent during the intervening months since then, there has been a doubt in the public mind as to whether any action has been taken or any manifestation of approval by the school authorities of the recommendations of any of the reports. It has even been assumed in many quarters that the recommendations have been completely ignored. The purpose of this communication is to report what action has been taken, what the attitude of the school authorities now appears to be, and what reasons are advanced in those cases where no action has been taken and is not intended to be taken.

Before proceeding to a consideration of the specific recommendations found in this 1,100-page report, a few general observations are in order. One general effect, and one of the most satisfactory results of the Survey Report, has been an awakening of interest in the subject of school administration in Boston; in addition, those interested in the continuous evaluation of such administration are now provided with a complete set of guideposts. Besides the stimulation of wide public interest, teacher interest has been formulated and brought to bear on many phases of the educational problem. One strong evidence of this is furnished in the

Report of the Education Committee of the Boston Teachers Alliance, the largest organization among the teachers, containing recommendations for the improvement of classroom instruction. In many instances the Survey Report gave impetus to corrective action, which, although previously recognized as desirable, had awaited such an occasion to overcome the inertia holding back such a step.

Three broad divisions of the Survey Report may be recognized: administration; the physical aspects of the system, such as plant; the educational area. In the first two there is little dispute in most quarters as to the desirability of the major recommendations (for instance, functional assignment of Assistant Superintendents, operation and maintenance of buildings, personnel administration, cafeterias, salaries, and school financing, etc.). In the area of educational objectives, however, and in that of teaching methods, there is some diversity of opinion as to the merits of many recommendations.

It should be remembered that the Survey was not undertaken as an economy program per se. If the possibility of savings appeared in the course of surveying the vast educational program of the city, so much the better; the primary objective, however, was to determine whether the organization, administration, and teaching in the system were most conducive to the realization of the end product of the system, for which more than \$18,000,000 is annually expended, viz., the best education of the children of Boston.

It should also be remembered that many of the recommendations entailed such a drastic revision of the status quo that only an unwarranted optimism could expect their immediate adoption. On the other hand, there were many recommendations could be expected to be immediately adopted; in fact, many of these have been adopted, as will be noted later in this communication.

It should also be noted that many features of the Boston school system came in for high praise in the Survey. However, we are concerned here only with those gaps and imperfections which are indicated in the Survey Report as calling for correction.

One encouraging observation made on interviewing various heads of departments was the thorough assimilation of that section of the report applicable to their respective departments, and the general disposition of most department heads to implement those recommendations which were possible within the present operating framework and fiscal limitations.

This report follows the same sequence of topics found in the Survey Report. Obviously, it is impossible within the compass of this comparatively brief review to cover all the observations and recommendations found in the original 1,100-page volume. An effort has been made, however, to cover all important recommendations and many of the minor suggestions. The method of presentation here followed is the statement of the recommendation, followed by a statement of what has been done or is in the process of being done, and what is the reason advanced in those cases where no action has been taken.

Organization and Administration at the Top Level.

Recommended: That the method of nominating and selecting the members of the School Committee be changed.

Result: The Finance Commission introduced legislation to this end, but its efforts were defeated by the organized opposition of the present school authorities.

Recommended: That the Board of Schoolhouse Commissioners be dissolved and its powers transferred to the School Committee.

Result: This recommendation was never carried out; in fact, legislation to authorize it was not considered. It represents such a drastic change that considerable initiative would first have to be generated. Although it is a much disputed point, many Survey Report recommendations are based on the premise of such reorganization.

Recommended: That the Superintendent of Schools be made the chief executive officer of the School Committee and of the school system, with the power to nominate his immediate assistants and, through appropriate agencies, all other employees of the School Committee.

Result: This recommendation was enacted into law (Chapter 497, Acts of 1946) at the instance of the Finance Commission, and represents the greatest single organizational achievement. Its

importance lies in the fact that, with the Superintendent in possession of such extensive authority, many of the other recommendations of the Survey Report may become realities through the use of this newly created authority.

Recommended: That all administrative boards should be dissolved.

Result: It has not been done. This was recommended originally in a 1931 survey under the Finance Commission auspices and repeated in the Strayer Report.

Recommended: That the Board of Superintendents be continued as an advisory and quasi-judicial board.

Result: By chapter 497, Acts of 1946, this board has been stripped of its executive or administrative authority. When directed by the Superintendent, it may become a trial board for employees of the School Committee.

Recommended: That the Assistant Superintendents be relieved of their geographic responsibilities and each assigned to perform one of the major administrative functions necessary to the operation of the schools. These assignments would be: elementary schools; secondary schools; adult education and special services; curriculum development and instructional improvement service; personnel service; business and housing service.

Result: No action has been taken on this matter as yet. Nevertheless, it is one of the steps most strongly urged to be taken by many of the officials within the school system. It is viewed by many as the key to the most effective functioning of the educational program. The explanation given of the failure of the school authorities to adopt this idea is that the step supposes special qualifications in personnel which are not readily obtainable.

Recommended: That the Board of Examiners be given statutory status so as to permit independence of action. With this as a starting point, it was intended that a personnel department would be developed to carry out all the recognized functions of such a department, such as the selection, promotion, and dismissal of personnel, the development of suitable classification and pay plans, and all other functions relating to personnel. Such a department was intended to cover both instructional and noninstructional personnel.

Result: Legislation to effectuate such a development has not yet been introduced and is a primary crying need. This step is needed to straighten out the present scrambled personnel situation and remove the School Committee from control over personnel administration below the policy-making level.

Recommended: That more space be secured for administrative offices.

Result: No action was taken on this recommendation.

The Administration of Business Affairs.

The situation in the Business Manager's office, so far as carrying out the survey recommendations is concerned, is complicated by several facts:

1. The present Business Manager has been in office only a few months.
2. The previous wide latitude of the Business Manager has been narrowed by the legislation which accords full executive power to the Superintendent.
3. Some of the recommendations of the Survey Report are predicated on the absorption of the School Buildings Department by the School Committee, a development previously indicated as difficult of attainment.

However, within the framework of these limitations the present Business Manager has demonstrated a firm disposition to follow the recommendations of the Survey Report.

Recommended: That mechanized methods in accounting, budgeting, auditing, and reporting be adopted where indicated; that many changes in inventory control and other accounting procedures be needed. All these needed changes are fully described in the Survey Report.

Result: The present Business Manager has taken the initiative in this matter by requesting and securing the services of a widely experienced commercial department head in the school system to work with him in putting into operation the changes in accounting procedure outlined in the Survey Report.

Recommended: That more operating space in the Business Manager's office be provided.

Result: A plan for utilizing another floor of the building has been worked out, after a space-study by the engineer of the School Committee.

Recommended: That a typewriter repair shop be set up.

Result: A typewriter mechanic was engaged and the unit broadened to include a salvage plan.

Recommended: The reduction of a squad of six men to repair hooks.

Result: One has now retired, and his place is left vacant; hook repair work is being contracted for; and the Business Manager states that, as opportunity permits, the squad will be further reduced.

Recommended: That, in the matter of the annual audit of the accounts of the School Committee, the determination of a certified public accountant be thrown open to bids, and that such outside auditor shall emphasize whatever financial practices he finds unusual.

Result: The Business Manager has done this.

Recommended: That the budget he required to be submitted at the beginning of the year, and that the format of the budget be changed and the general organization of that document.

Result: As to the time of submission of the budget, the need was partially met by the enactment of legislation proposed by the Finance Commission. As to the other budgetary recommendations, the Business Manager states that he intends to follow them, but adds that he assumed office while the current budget was in process of adoption and he had no opportunity to undertake the changes recommended.

Recommended: That action be taken to eliminate stock surpluses.

Result: The Business Manager has appointed a field agent to inspect storerooms and work toward preventing such surpluses.

Finance Commission Note: The Survey Report made the following statement: "The Business Manager and his purchasing section are to be commended for the good results obtained in purchasing good materials at very favorable prices." However, several recommendations were made in the areas of timing of purchases, quantity and advance buying, and printing costs. The Business Manager answers that he follows market conditions closely in buying and tries to consolidate purchases as much as possible. The development of this latter step is dependent also on an improved system of inventory control and analysis of use, which is awaiting installation; storage facilities constitute another limiting factor.

With respect to printing costs, there appears to be no alternative to use of the City Printing Department. Nevertheless, the Survey Report contends that city printing charges are too high.

Building Operation and Maintenance.

1. Operation.

Recommended: That the operation and maintenance of school buildings be placed under an "Assistant Superintendent in charge of business affairs and buildings," as part of the proposal of functional assignment of Assistant Superintendents.

Result: This has not been done; it assumes absorption of the School Buildings Department by the School Committee to be completely carried out.

Recommended: That a classification plan be adopted for schoolhouse custodians; that such a plan would group them into possibly two groups; those who supervise the work of four or fewer than four subordinates, and those who supervise five or more subordinates.

Result: Instead of following such a plan, a committee of custodians obtained approval of the School Committee of a salary plan containing 28 different schedules, i.e., each school was placed in one of 28 different weekly salary rates, running from \$46 to \$100 per week, and graduated by the square foot area of the school.

Recommended: That more mechanical appliances be used in custodial work.

Result: Failure to appropriate for this purpose has prevented its development.

Recommended: That an intensive study to learn the custodial manpower requirements of the system, standard of housekeeping, and duties be made.

Result: This recommendation has not been followed.

Recommended: That custodians perform the very minor maintenance jobs which spring up in

the operation of any building, and which are performed by almost all custodians in other types of buildings, thus effecting a saving of probably \$50,000 annually.

Result: This has not been done.

Recommended: That more skillful custodial workers be selected, and that a training program be undertaken.

Result: While the selection of the workers is primarily the function of the State Civil Service Division, special training after selection is the responsibility of the School Committee. Nevertheless, no training program has been undertaken.

Finance Commission Note: It would appear that, in order to correct conditions in the custodial area, this group should be under the final jurisdiction of the Superintendent (instead of under the School Committee as they are at present); the personnel department proposed in the Survey Report would handle all the personnel questions involved.

2. Maintenance.

Recommended: That a corps of mechanics be employed to cut down the volume of work given to contractors.

Result: The recommendation has not been adopted. Representatives of the School Buildings Department insist that, based on past experience, it would cost more to maintain a group of mechanics; that the scattered geography of the city and the variability of the work dictate the feasibility of engaging a local repairman, rather than sending a staffman from headquarters.

Recommended: That safe means of exit from all buildings be undertaken, as well as the removal of potential fire hazards.

Result: A program in these directions has been vigorously pursued.

Recommended: That sanitary facilities should be improved (such as the installation of hand-washing facilities in particular schools now lacking them).

Result: The School Buildings Department answers that this has not been done in those schools because of the experience that such fixtures are quickly destroyed in frequent outbursts of vandalism. This condition appears to vary from school to school and is a matter of local discipline.

Planning, Construction and Use of School Buildings.

Recommended: The Survey Report pointed out that "the outstanding need with regard to Boston's school building procedures is one of comprehensive and continuing long-range planning." It was further recommended that a permanent technical staff be set up to gather, organize, and interpret information on school housing needs, present and future. Such a staff would comprehensively replan and redistrict the present school plant and plan for its future.

Result: There is no evidence that this has been done. Neither is there any evidence that there has been any research in educational planning for future schools. Such research as has been done has been on special projects, rather than on any comprehensive scale.

Finance Commission Note: Before comprehensive surveying gets under way certain clarifications of policy should be made. The Survey Report pointed out some of these needed clarifications: number of pupils per school, size of district, whether coeducation should be observed city-wide. To these should be added the determination of whether the 6-3-3 system (intermediate or junior high) is to be retained in its present incomplete form, fully carried out, or eventually dropped. The observation made in the Survey Report that thousands of pupils of intermediate grade are in high schools and elementary schools still holds. This matter is brought up because it is a key point in future school planning and efficient re-housing, and because it is now apparently in a state of flux.

Recommended: That 35 elementary schools be closed immediately.

Result: Since that time 17 of these 35 schools have been closed, and 4 more are under study.

Finance Commission Note: The Survey Report analyzed each district in the city and made both short-term and long-term recommendations, whereby the per cent of utilization of elementary school buildings would be substantially increased, the average age of the buildings reduced, the average school building score increased, the average capacity increased, and substantial

savings in expenditures for operation and maintenance realized. To what extent the school closings and other interim developments have progressed in these directions in not known, and would require further study.

Food Service in the Schools.

Recommended: That the present policy of paying workers for 52 weeks, although they only work 39, be discontinued; that job classifications and wage schedules be set up.

Result: These recommendations have not been adopted.

Recommended: That lunchroom workers be required to demonstrate their ability before being hired.

Result: The only testing of this class of employees is by the Civil Service Commission in establishing an eligible list. Representatives of the School Committee claim that they often obtain employees from this list who are unsatisfactory, but that there is nothing they can do about it.

Recommended: That in all schools where a sufficient equipment and labor supply is available the type A lunch be served.

Result: This is being followed.

Finance Commission Note: Recommendations relating to menu and cost, storage of low-cost milk, teaching of lunchroom values, integration of lunch program and health program, improvement of equipment, purchasing methods, record keeping, centralization of purchasing, are also being followed. In brief, virtually all the recommendations are being followed with these exceptions: those relating to personnel, and that relating to abolition of concessionaires (five schools still have concessionaires).

For the current year some activities have been curtailed for lack of funds. These include five child care centers, eleven hot lunch units, and four special class centers (in spite of the finding in the Survey Report that the most persistent health problem found on physical examination was malnutrition).

Special Education.

The Survey Report emphasizes the importance of special classes when it states that "no phase in the field of education is probably of more importance or greater concern than that of providing for the individual differences among children and youth of the schools."

Recommended: That the present method of selection for admission to special classes should be changed and different criteria set up. "The present method of selection is causing rather severe criticism among some masters and teachers who feel that the special classes are being used to a large extent as a dumping ground for children who are remedial cases, underprivileged, or who present any problem."

Result: All psychometric testing is now under the Department of Investigation and Measurement. Previously, a child could be assigned pending examination; now the examination must come first.

Recommended: That recreational experience of an educational and social nature, sports, teams, and individual games be developed.

Result: The only progress made in this direction is that permission has been obtained to use the facilities of the Robert Gould Shaw House playground and gymnasium.

Recommended: That three of the four buildings used, which house 500 defective children, should be condemned as special class centers.

Result: Of the three recommended for closing, two were actually closed; the third was found to be serviceable after a certain amount of renovation.

Recommended: That the Director of Special Classes be responsible to only one Assistant Superintendent, instead of to three as at present.

Result: Nothing has been done to change the situation.

This condition stems from the repeatedly mentioned non-functional assignment of Assistant Superintendents which still obtains.

Recommended: That teachers be transferred to the intermediate schools from special class center to care for the special class groups being formed there.

Result: This is being followed.

Recommended: That there be courses of study prepared to meet the needs of these students; that more emphasis be placed on vocational train-

ing and on domestic tasks for girls; that better teaching equipment be added.

Result: Men have now been assigned to introduce and supervise handcraft and home mechanics, as well as gardening; courses in cooking and household arts have been provided; new visual aids for instruction have been added, including sound movies, daylight lanterns, maps, and globes.

Recommended: That provision for remedial reading be improved.

Result: All new types of reading materials have been selected after conference with publishers, and a list supplied to the teachers. These materials emphasize low vocabulary and high interest levels.

Recommended: Cooperation with outside interests, such as garages, filling stations, and shops to supply work for boys.

Result: The Director maintains that the department is not only active in finding jobs for graduates but follows them into the job for a period of five years, and uses the results obtained as a basis for curriculum direction.

Physically Handicapped Children.

The Survey Report adjudged the Horace Mann School for the Deaf, where the acoustically handicapped are cared for, as perfect.

On the other hand, in the programs for the hard-of-hearing at several gradations, for conservation of eyesight, and for speech improvement and remedial reading, several changes were recommended. At the time of preparation of this report it was impossible to determine to what extent such recommendations had been carried out.

Facilities for Solving Disciplinary Problems.

The Survey Report criticized the lack of adequate provisions for service to pupils who present individual problems of maladjustment in which the emphasis is on some aspect of personality, behavior, or school achievement.

Recommended: That a central staff agency be set up to handle such cases.

Result: In October, 1945, the Division of Juvenile Adjustment, headed by a trained professional in the field, was set up in the Bureau of Child Accounting, with a staff of seven, including five teachers of juvenile adjustment, one clinical psychologist, one attendance supervisor.

Recommended: That a definite formulation of policy concerning commitment to the Godwin School, which is the disciplinary school, be established; that every boy suggested for placement in the school be referred to this new bureau for complete case study; that every attempt be made to help correct the child's difficulty through dealing with educational, physical, social, or personality handicaps discoverable through examination.

Result: That these recommendations have been followed is evidenced by the Superintendent's Circular No. 70, issued November 1, 1945, which reads as follows:

"To Principals of Schools and Districts:

The School Committee has established the Division of Juvenile Adjustment in the Bureau of Child Accounting.

In order that principals may have clearly in mind the types of problems that should be referred to the Division, they are asked to separate all cases into two categories: (1) problems of behavior, personality, or emotional maladjustment.

These are henceforth to be referred to the head of the Division of Juvenile Adjustment.

(2) Problems which are purely educational and of a curricular nature, such as those involving a question of ability or of a discrepancy between ability and performance, etc.

These are to be referred to the Department of Educational Investigation and Measurement."

Finance Commission Note: According to the report of the executive in charge of the Division of Juvenile Adjustment, during the school year 1946-47 this division gave service to 1,028 children—401 girls and 627 boys. The vast majority were referred by teachers, principals and headmasters, parents, clergymen, social agencies, et al. Of 282 cases referred by the attendance department, court appearance was requested in 106 cases; transferred to the disciplinary school in 42 cases; general study in 134 cases. After service by this division, only 27 went to court; 13 were referred to the disciplinary school. Moreover, such dispositions would probably not have been necessary had this division been established

years ago, when these cases were in their early stages of difficulty development.

Further developments in juvenile adjustment program as recommended by the Survey have yet to be carried out, but these are relatively minor, and it is clear that very substantial progress has been made in the right direction.

As regards "Special Services," as a whole, the Survey Report observed as follows: "The outstanding deficiency which the Survey sees is a lack of coordination among the agencies which are selecting the candidates for any special service." That deficiency now appears to have been substantially removed.

Health and Physical Education, Recreation.

Recommended: The Survey Report deplored the separation of the Department of School Hygiene and the Department of Physical Education, and proposed that a unified department embracing both present departments be organized to administer health education, physical education, and recreation.

Result: A new bureau charged with the teaching of health and safety was set up, and a director appointed—but set apart from the School Hygiene Department and Physical Education Department, so that, instead of the unitary organization recommended, the organization is spread farther apart.

Health Instruction.

Recommended: This function was criticized as in a deplorable stage, with many untrained health teachers and inadequate texts, although acknowledging that an interest in revision was evolving. It was recommended that teacher-training and course of study be simultaneously improved; that a bureau of health instruction be organized.

Result: The Survey Report appeared to have served the purpose of stimulating and giving direction to a new program. The following steps have been taken by the new director:

1. A poll of teacher opinion and experience in this field was taken and analyzed.
2. A list of practices and objectives was drawn up in April, 1945.
3. At this point in the evolution of the program, extensive control has been placed in the hands of the headmasters, and general control with the director.
4. Parents have been addressed through printed literature.
5. A "Guide for Health Instruction" in Grades 9 through 12 has been published.
6. A program of teacher-training has been started.

Finance Commission Note: Briefly, the program is still in an evolutionary and, in some phases, experimental stage, but the division appears to have established a direction and pattern. However, the recommended unitary organization of health education and physical education has not been realized.

Physical Education.

Recommended: That all new elementary schools be constructed with suitable gymnasias, but in all old buildings one or more classrooms be remodeled for physical education purposes.

Result: There have been no new buildings constructed; there has been no alteration for this purpose in the old buildings.

Recommended: That recess periods be kept intact and not used for academic purposes.

Result: It is contended that it is the regular practice to keep such periods intact.

Recommended: In fair weather, play yards be used for physical education periods.

Result: This is being done. Reference to this practice may be found in the foreword in the 1946 Revised Course Outline.

Recommended: That an extensive retraining program providing for the preparing of one or more teachers in each elementary school in this field be undertaken.

Result: No action taken because of expense involved in extending teaching staff.

Recommended: Increase in length of physical education period in the first six grades.

Result: Approaching recommended time according to course outline.

Recommended: Less emphasis on formal exercises; more on games, dances, etc.

Result: Course Outline indicates adoption of this principle.

Recommended: That all new intermediate schools have lockers and showers.

Result: There has been no new construction.

Recommended: That lockers and showers be installed in old buildings.

Result: No action taken. The director states that funds have not been available.

Recommended: Reducing formal exercises in intermediate schools.

Result: It is contended that this is being done.

Recommended: A daily period of physical education of not less than 45 minutes in intermediate schools.

Result: It is claimed that the gymnasium facilities are inadequate for the carrying out of this recommendation.

Recommended: That new program be prepared without waiting for better facilities.

Result: This has been followed; both intermediate and senior high schools will have a continuous, coordinated course which has been tried experimentally and tailored to fit the limited facilities of the various schools. This course is being printed and will be ready for the fall term.

Recommended: All future appointments to the physical education staff be made from a list of those who have completed the major in physical education.

Result: An examination was held and a list established in June to replace teacher-physical instructors with qualified physical instructors, all of whom have Masters' degrees in physical education.

Recommended: That uniforms be worn by physical education teachers.

Result: This is now prescribed.

Recommended: Transfer older teachers of physical education to more suitable positions.

Result: Two have been transferred to the teaching of health education.

The Survey Report reviewed the recommendations made in an Athletic Survey Committee Report of 1935 and found itself in agreement with many of the 1935 proposals. It found that only two of the twelve recommendations of that report had received favorable action. The Survey Report recommended favorable action on eight of these twelve recommendations. Of these eight recommendations of the Survey Report, four have received favorable action. These include: the appointment of an associate director for girls' activities; appointment of men in charge of boys' activities in the intermediate schools; the inauguration of a tennis tournament; the reintroduction of intramural sports.

The remaining four of the eight recommendations on which no action has been taken are: special qualifications for play teachers; provision for adequate facilities for physical education; abolition of military drill when proper athletic facilities are secured in intermediate schools; use of swimming pool at Roxbury Memorial High School.

The Survey Report states that "much that could be done must await an improvement in facilities." It appears that, within the limitations of facilities provided, the Survey Report recommendations in this field have, in the main, been followed.

However, the Department of Physical Education is helpless against the kind of fiscal policy which developed during the recent year. The summer playground program was suspended through a budget cut of over \$50,000. Subsequently, the Mayor permitted the Park Department to carry on such a playground program on park grounds through provision of a like amount of funds. Thus the organization set up to operate this program was compelled to suspend activity, while another organization had to be set up in the Park Department.

Guidance in the Schools.

The Department of Vocational Guidance is one of several divisions in which the director has been recently appointed. The present director, although on the staff for 25 years, has been director for only about eight months. The general objectives of this department may be said to be the counseling, placement, and follow-up of pupils through educational and vocational guidance. A comparison of Survey Report recommendations and action taken follows:

Recommended: That cumulative pupil personnel records adequate for the purpose of guidance be developed and put into use.

Result: Although this recommendation is echoed by many others in the system, including those who

would have occasion to use such an amplified form, the director defends the present abbreviated form as ideal. The recommendation has not been adopted.

Recommended: That individual vocational and educational counseling be introduced into intermediate schools.

Result: This department has prepared a comprehensive plan on the subject which is now in the hands of the Superintendent.

Recommended: That the program be extended in the high, Latin, and vocational schools.

Result: This awaits an extension of staff.

Recommended: Provision of occupational and educational information, to influence not only individual choice but school offerings as well.

Result: The following publications have been released: In December, 1946, a multicolumn schedule providing information on courses, subjects, and vocational implications for the seventh, eighth, and ninth grades was published; in 1945 "A Guide to the Choice of a Secondary School" was published, with information on boys' and girls' courses, where provided, subjects required, schools for which the courses prepare, and vocations to which the courses lead.

Recommended: Further information on job opportunities and occupational information.

Result: This department is now publishing a series of studies of occupations, each occupation treated separately in a pamphlet, for use by counselors, teachers, and students. As for job opportunities, the director states that he spends much time in the field, securing placement.

Recommended: That members of the Central Guidance Office should offer in-service training in techniques and procedures of educational counseling at the secondary school level.

Result: This refers to a program which had been allowed to lapse, but which the new director plans to reopen.

Recommended: That the testing program in the recommended Bureau of Group Tests of the Division of Instructional Research be developed to the point where tests taken for guidance will be available.

Result: Pending the establishment of such a division, the Vocational Guidance Department has a fine working relationship with the present Department of Educational Investigation and Measurement.

Recommended: That follow-up studies be made and evaluated to a greater extent in considering curriculum revisions and changes, and as a basis of choice of subjects; such follow-up studies be made of all youth who graduate or drop out, at intervals of one, three, and five years after pupils have left school.

Result: Studies have been made on the one-year and five-year post school level, and the results given to the Superintendent. To carry the project further would require an increased staff.

Finance Commission Note: While it is acknowledged that the guidance program in all schools is not uniformly of the highest order, it seems clear that progress is being made along most of the lines laid down by the Survey Report.

It will be noted that one of the by-products of the guidance program should be that of curriculum revision, but that development can hardly be realized most effectively without the reorganization which would result in a division of instructional research, a step which has yet to be taken.

Vocational Education.

Many of the recommendations in this field were in the direction of expansion of services. It was urged that, to facilitate freedom of choice among the various trade-training programs of the comprehensive high schools, transportation to a high school outside of the student's home district be furnished. It was also urged that the Brandeis Vocational School be fully developed into an opportunity school for all working youths and adults of Boston. Addition of recently developed features of the electrical trades, including refrigerator repairs, radio installations, radar, etc., in the curricula of the trade schools and training for the garment trades, the baker's trade, the barber's trade, the chef's trade, and the dyeing, cleaning, and laundry industries were also urged. The development of the Mechanic Arts High School into a post high school training school for junior industrial technicians was advocated, as well as the establishment of a regional school as a final development of this project for the metropolitan area.

Such recommendations, while commendable and proper, because of their expansionist character must wait for a less stringent financial situation for their full realization. However, some parts have been accepted, such as the baker's trade-training program.

Apart from the recommendations for expansion, the following recommendations also appeared:
Recommended: That all activities in the field of vocational training be placed under one Assistant Superintendent.

Result: Another instance of needed functional assignment; it has not been done.

Recommended: That a director be appointed to head up each of the major fields of vocational education.

Result: It is felt by school officials that the present four supervisors at the intermediate directing level cover the field satisfactorily.

Recommended: That the matter of placing students in the mechanic arts program, on the assumption that they possess manual aptitudes in the absence of scholastic aptitudes, be studied thoroughly.

Result: The requests made of the Department of Educational Investigation and Measurement for mechanical aptitude tests indicates a growing interest in this matter. According to the Harvard Report, "General Education in a Free Society," this attitude of ready referral to the manual arts field is typical of most cities.

Recommended: That the practical arts program at the elementary level be improved in creativeness.

Result: According to the director a new supervisor has been appointed to emphasize creativeness at this level.

Finance Commission Note: Several recommendations which would increase the number of cooperative part-time students and the volume of school shopwork have not been acted upon. It is contended that present equipment is now being used 100 per cent.

The other major phase of vocational education considered in the Survey Report was that of business education, and this was examined in detail. Many recommendations were made, but have not been carried out. Moreover, the first step in the success of the new program outlined in the recommendations of the Survey Report would be the appointment of a Director of Business Education; that post is still vacant. The probability is that this body of recommendations will be ignored until that step is taken.

Instructional Research.

A section of the Survey Report considers the field of curriculum development and instructional research. First, it recommends a reorganization which would facilitate such development and research. This recommendation has not been adopted.

However, there has been progress in this direction due to the efforts and interest of the various department heads, masters, and teachers. The key department in this progress is the Department of Educational Investigation and Measurement. The Survey Report criticized the isolated position of this department and its failure to coordinate with related fields. Although it is still in an isolated position organizationally, nevertheless the observation of the Survey Report relative to its activity no longer holds. It now works closely with the Department of Vocational Guidance, Special Classes, Juvenile Adjustment, and the various individual masters and teachers in the system.

A list of tests recommended in the Survey Report as suitable for appraisal are now on the approved list of the department and are being used and applied as suggested.

The volume of requests from masters and teachers for testing has increased sharply. The Survey Report observation that high schools have not been active in this field does not hold today. Over 12,000 tests were given in May of 1946 in the high schools. In September, 1946, 87,000 achievement tests were administered.

Several factors appear to be present in this new interest in testing: the Survey Report, the activity of the new director (who has been director a relatively short time), and contact with testing in the Armed Services by many teachers.

Most of the recommendations in the Survey Report appear to be in the process of being carried out within the limitations of the present organizational pattern. Although structural changes as recommended in the Survey Report will be

necessary to organically influence curriculum development and instructional research as envisaged in the Survey Report, this department is already influencing curriculum development on a voluntary basis. The departments of Kindergarten and Vocational Guidance have both recently used this department in revising their curriculum.

Adult Education.

In this field, little has been done along the lines recommended in the Survey Report, because evening schools and allied activity have come to a virtual standstill because of the drop in enrollment, accompanied by a corresponding cut in appropriation.

The recommendations of the Survey Report become something for the future when circumstances warrant the development of Adult Education and its related activities. This particularly applies to the recommendation for a school for adults which would be open all day and carrying a very extensive curriculum. Although the basic reorganization recommended in the Survey Report has not been adopted, it need not wait for the program expansion indicated above. This reorganization supposes changing the position of Director of Evening Schools to Director of Adult Instruction, in keeping with the broad concept of adult education. Such director together with the Director of Adult Associations (at present the Director of Extended Use of Schools) would function under the Assistant Superintendent to be appointed in charge of Adult Education and Special Services.

The Director of Evening Schools disagrees with the recommendations of the Survey Report on the following points:

Recommended: It was recommended that principals of evening schools be taken from the ranks of civic leaders.

Result: The director claims this has proved to be unsatisfactory in the past, providing the possibility of a patronage system, and overlooking the need of trained teachers.

Recommended: The Survey Report criticized the practice of limiting an evening school teacher to three years and a principal to five years.

Result: The director defends the practice. He claims evening school training is used as a testing ground and carries points of executive credit toward appointment. The reason for the time limitation is that continued day and evening work over a long period of time may affect both health and quality of work.

Recommended: The Survey Report made the point that day school teachers may not be good adult teachers.

Result: The department answers that the principles of subject development are the same, that only the adjustment of point of interest to an adult viewpoint must be changed; furthermore, there is a control over the teacher's effectiveness by the fact that she is removable, and without tenure.

An essential difference between the School Department viewpoint and that of the Survey Report is that the former does not wish to go outside present teaching ranks, while the latter emphasizes a separate corps.

Personnel.

The critical area of personnel administration, probably the most critical of the whole administrative area, came in for comprehensive analysis in the Survey Report. It was pointed out that "the Superintendent has no single officer of intermediate responsibility assigned to make a continuous study of personnel problems, to assemble data, and to keep him informed." The summary significance of personnel administration is brought out in the following paragraphs taken from the Survey Report:

"The needs of the several branches of the school system for personnel are properly determined by the number of pupils, the class size, the educational program in each type of school, and the skill of the administrator in charge. All of these factors count in Boston. But they count lightly when compared with the weight of the obsolete rules of the school committee as to the numbers of teachers that may be employed, an obsolete plan of organization for administration, and the absence of adequate personnel accounting. The result in Boston is low average class size, a great excess in the number of classes that are too large or too

small for efficient work, and excessive expenditures for instruction, due to pupil-teacher ratios that are generally too low.

"Sound administration of Boston's schools, as recommended elsewhere in this report, would make it possible to carry out the present educational program, with the present number of pupils to eliminate most classes that are too large or too small, and to reduce the number of teachers required.

"In the face of a declining school enrollment, sound child accounting and sound personnel accounting and expert administration are needed, both for the sake of economy and in order to maintain standards of instruction."

The Survey Report found that until a personnel department is properly set up the following matters cannot be satisfactorily adjusted and administered: selection, qualifications, appointment, promotion, and proper number of teachers; personnel record-keeping; orientation of young teachers; required number of temporary teachers (this matter assumes current importance in view of the recently enacted "tenure" law); appraisal of personnel policies; teacher grievances; biennial rating weight; retirement allowance as factor in retirement; interpretation of ratings; classification and qualifications of noninstructional personnel.

Recommended: To secure satisfactory personnel administration, that the Board of Examiners be established on a secure basis of tenure; that the Superintendent assign an Assistant Superintendent to the administration of personnel, exclusive of work performed by the Board of Examiners, and support him in the performance of this work by four directors: one as administrative assistant, with the Assistant Superintendent; one in charge of personnel records, accounting, and research; one in charge of orientation (already established as the Department of Practice and Training); one in charge of personnel counseling.

Result: None of these steps has been taken, not even the introduction of legislation to secure the independent status of the Board of Examiners.

The crying need of personnel administration removed from the School Committee is only too well demonstrated in the minutes of the School Committee meetings.

The fact is that there has been a great reduction in the size of the teaching staff of the Boston schools since the publication of the Survey Report. Reduced enrollment, both natural and war-induced, accompanied by deaths, retirements, and resignations in the teaching staff, operated to effect this reduction. This is commendable economy; but it does not answer the need for the scientific method of adjustment of personnel size which the recommended personnel accounting system would provide.

Salaries and Salary Policies.

The Survey Report summarized the salary situation as follows: With respect to salaries of teachers, "The immediate task before the Boston School System is to develop an instructional salary schedule effective for the three groups of personnel which have previously been described. What already exists in the name of a salary schedule can hardly serve the purpose longer. The history of the salary wrappings of the Board of Apportionment and the School Committee, which have been viewed by the survey staff this year, leads it to no other conclusion than that much of the difficulty lies in the woeful shortcomings of existing policies. THE BOSTON SALARY SCHEDULE IS NOT A SCHEDULE, IT IS A SERIES OF MULTIPLE AND POORLY RELATED SALARY SCALES. It requires a major overhauling."

(The Report then directs attention to the lines of development which should be followed.) The Report adds, however:

"In a large city such as Boston with deep-seated salary traditions, no ideal salary schedule can spring full bloom from any single attempt at revision. On the other hand, many of the elements of truly effective salary policy may have to be gradually introduced and perfected. This most certainly does not mean the piecemeal revision of the type heretofore practised. It means a continuity of approach to an effective overall and long-term plan. But even such a plan does not stay effective with changing conditions, any more than effective salary policy can be achieved by the present processes

of accretion to parts without reference to the whole. What is needed is a functional assignment for leadership in salary policy which may be continuing in effectiveness, as well as immediately resultant in something better."

The action taken in the salary field has been as follows:

1. The School Committee went on record in favor of a single salary schedule.
2. The question of "equal pay for equal work" will appear as a referendum at the next city election.
3. Increases taking effect April 1, 1947, of \$600, \$500, \$400, and \$120 were granted for various salary groups, the increase running inversely to the amount of salary received. This was apparently a "cost of living" adjustment; it certainly did not partake of a scientific revision of salary schedule as contemplated by the Survey Report.

Whatever beginnings of progress in the area of instructional salaries may have been made since the Survey Report, the noninstructional salary picture (clerical, secretarial, custodial, and maintenance) remains unchanged. Here the primary lack is a proper classification and wage plan. The custodial salary schedule is a striking case. A perusal of the minutes of the School Committee reveals the lack of uniformity in the other noninstructional positions which still persists.

Elementary, Intermediate, and Senior High Schools.

1. Elementary.

Educational Program.

(This is taken to mean the educational objectives, curriculum, and teaching method, as distinguished from "administration.") When the Survey Report was released, a defense of the status quo was issued by the Director of Elementary Education, and this still expresses substantially the current attitude. One of the few concessions made by this department is agreement with the idea of heading up elementary education under an Assistant Superintendent, exclusively assigned. The director disagrees with such criticisms as lack of flexibility in the curriculum, lack of achievement measurement, and with the advisability of a continuous progress policy in the matter of promotion. However, progress has been made in the field of tests and measurements, as indicated in the section of this report dealing with that department.

Administration and Organization.

An administrative policy recommended but not adopted is contained in the following quotation from the Survey Report: "Boston must either raise the entrance age to kindergarten and thus to first grade, or provide a 2-year kindergarten experience for the majority of its children. To continue the present practice is to violate the established understandings of child growth and development." Recommendations relating to an improved cumulative record system and report card were echoed by the education committee of the Teachers Alliance; these ideas have not been developed.

In the matter of class size, the following quotation is significant: "It is strongly recommended that further adjustments in class size be undertaken. Boston should look ahead to classes not exceeding 32 pupils in Grades 4 to 6, and a somewhat smaller number in Grades 1 to 3. . . . Boston's problem of class size is complicated by the fact that there are so many small buildings. When the recommendations of the Survey Staff on redistricting and abandonment of certain buildings are carried out, there will be greater opportunity for adjustments in class size." As mentioned elsewhere, 17 of the 35 school buildings recommended by the Survey Report for immediate closing have been closed, and 4 more are under study. These closings have been gradual in volume and lengthy intervals have elapsed between them, often due to the pressure of the citizenry in the vicinity of the school. More closings may be expected in the future. To what extent these closings have affected class size as well as cost of building, maintenance, and operation, is not readily ascertainable, but such results must naturally follow.

2. Intermediate.

The Survey Report defines the purpose of the intermediate school as follows:

"The intermediate school has the double purpose of carrying forward general education and providing the basis for later specialization through the sampling of a wide variety of activities from which choices for further education and even for life work may be made."

The elements of the intermediate school program cited in the Survey Report are guidance, administrative organization, curricula, pupil housing, and class size.

Guidance. The Survey Report observed that "there is no program of individual counseling and guidance in the intermediate schools."

Result: An "over-all program of guidance for the intermediate school" has recently been prepared by the Guidance Department and submitted to the Superintendent.

Administrative Organization. The Survey Report recommended that the organization and administration of all schools for youth from eleven or twelve to seventeen or eighteen years of age, including both junior and senior high schools, shall be assigned to one Assistant Superintendent.

Result: This has not been done. The recommendation that schools at this level be called junior high schools instead of intermediate schools has been followed.

Curriculum. The Survey Report observed: "The curricula reveal a number of weaknesses. Election or assignment to a curriculum in schools for youth is made in the last weeks of the elementary school course. Election or assignment is by curricula and not by subjects. Differentiation begins upon entrance to the intermediate school, and the pupil usually continues in the same curriculum throughout the three years he spends in the school. Principals generally recognize this situation as a negation in large measure of the controlling objectives of the Junior High School." This leads to the broad recommendation, previously expressed, "that the development of curricula for all schools, the supporting courses of study, and plans for the improvement of teaching be assigned to one assistant superintendent, supported by a Director of Instructional Research."

Result: This situation is still in status quo. Class Size and Pupil Housing.

The Survey Report made the following observations: "Average class size in the intermediate schools of the City of Boston is 31.3, and in the seventh and eighth grades of elementary schools, 30.8. This is low. However, there are too many classes below 30 and over 35. More than 3,000 younger youth (intermediate age) in the City of Boston are enrolled in elementary schools — schools for children, rather than schools for youth. The intermediate schools of Boston have room for 2,000 to 6,000 more pupils, but they are not as well located to serve the 3,000 pupils still left in the elementary schools as school authorities would like them to be.

"The high and Latin schools of the city now enroll more than 3,500 pupils in Grades 7, 8, and 9. They have an additional capacity of from 4,000 to 12,000 pupils. Many of these schools are so located that they could accommodate most of the 3,000 pupils still left in Grades 7 and 8 of the elementary schools."

In another place the Survey Report states: "All of the younger youth in the public schools of Boston should be enrolled within a year or two in the existing intermediate and high schools of the city. This will involve the creation of two or more six-year schools in addition to the Latin schools. Average class size should be increased to 32-33, and most classes over 35 and under 30 should be eliminated."

Result: There appears to have been no important change made in this picture. As mentioned in another section, the unsettled state of this problem goes beyond the housing of intermediate grades, and is a key consideration in the comprehensive housing picture. As a matter of fact, informed opinion has it that many more buildings could be closed and perhaps ten districts eliminated if the educational program were to revert to the 8-4 program (eight-year elementary and four-year high) and if the present relatively unsettled intermediate scheme were abandoned. This would also insure the maximum utilization of the best buildings.

3. Senior High Schools.

Educational Program.

The Survey Report lists 13 recommendations which form the broad basis for its treatment of "schools for youth." These include recommendations for an over-all educational postwar plan for all youth; for providing a salable skill to insure employability; for emphasis on health and physical education; for guidance; for a "junior college"; for educational service to the metropolitan area; and for the appointment of Assistant Superintendents to head up the program on a functional basis.

Result: These recommendations appear to be desiderata unchallenged by the school authorities and teaching body in the main. However, there are two recommendations which appear to run counter to the Boston educational viewpoint. One seems to imply that it is regrettable that particular students take only a fraction of the courses offered in the high schools. The reaction of many school people in Boston is that it is regrettable that students take so many.

The Survey Report, besides emphasizing a wide offering and wide individual selection of courses, also deplors continual teacher direction of the pupils and urges increasing responsibility by the pupils in deciding what ought to be done, and in planning the work. In the Boston school official viewpoint, the teacher rules supreme in the classroom, and pupil responsibility and participation in planning are assigned to extracurricular activities which are supposed to be integrated with the regular school program.

The above divergence of outlook is really the well-known conflict in educational philosophy between the modernist and the traditionalist, with Boston representing the latter viewpoint. Both viewpoints have strong backing. The modernist viewpoint has a wide acceptance in many school systems throughout the country. The traditionalist viewpoint, on the other hand, has recently been championed in many educational reports.

Apparently, in this matter one must be either a modernist or a traditionalist; and, indeed, the choice would appear to affect both curriculum and teaching methods. But to urge the adoption of a viewpoint and educational philosophy in this particular matter, which is at variance with what seems to be Boston's traditionalist viewpoint, would be to urge the abandonment of one disputed position and to assume an equally disputed position.

However, even within the framework of Boston's present educational philosophy there is vast room for the many improvements in the organization and administration of the educational program recommended in the Survey Report.

High School — Administration and Organization.

Recommended: Appointment of assistant principal in all schools for youth, one for every 500 pupils.

Result: This is not followed. Recommended: Guidance counselor for every 360 pupils.

Result: At present, one in each high school; two in English High.

Recommended: That the number of department heads be reduced; that one (called a chairman of department) be appointed for every five or more full-time teachers.

Result: Although the basis followed is the number of pupil hours, and not the number of teachers, a similar result has been obtained, since the number of pupil hours generates the number of teachers. Whether the reduction would be greater under the recommended procedure is not known. However, the following reduction has taken place:

June, 1942.....	110
June, 1945.....	104
June, 1946.....	103
June, 1947.....	93

(These figures refer to presently filled positions, not to positions existent.)

Recommended: That coeducation be the general policy.

Result: Beginning in the fall of 1947 coeducation will be universal at the intermediate level, thus leaving only the comprehensive high schools the exceptions to the rule.

On several other points in relation to organization and administration, figures were not available to determine to what extent recommendations

have been carried out. These included: (1) average class size in all academic subjects; (2) teaching loads in periods per week.

Recommended: Changes in the Latin School curriculum.

Result: Not adopted because the Latin School faculty supports its present curriculum.

CONCLUSIONS.

A perusal of this report will reveal that many of the recommendations of the Survey Report have been favorably acted upon. In some cases only a start has been made; in others there has been solid progress. Where a sufficient reason for failing to take action has been advanced by the school authorities, that has been noted. Financial and physical limitations have restricted progress in some directions. Inertia and adherence to an habitual pattern have played their part.

Many forward-looking steps taken, along the lines laid down in the Survey Report, have been due to the individual efforts of the several department heads, with the final approval of the Superintendent.

There are, however, many steps of major importance yet to be taken. At least two entail new legislation: (1) providing a new method of bringing a school committee into being; (2) creating an independent status for the Board of Examiners.

Other needed steps (not requiring legislation) include:

1. The dissolution of the several administrative boards still functioning. Inasmuch as the Rules of the School Committee set up these boards, indicated action would be up to the committee.
2. The functional assignment of Assistant Superintendents as described in the Survey Report, a step generally regarded as of prime importance and fundamental in any reorganization. This is in the province of the Superintendent.
3. The reorganization necessary to control the operation of buildings, custodial service, fuel control, and related activities under final authority of the Superintendent has not been undertaken. (It is worth noting that those factors which generated the coal controversy of 1945 are still operating. In April, 1945, the Finance Commission, in answer to a request from the School Committee to investigate the matter of alleged inferior coal used in school heating, found that the very factors described by the Survey Report as critical defects underlay the situation under investigation. These defects were: lack of an organization which would provide a continuous and direct control over the use as well as the procurement of coal; the poor firing methods employed by many custodians; and the need of suitable training.)
4. The very vital matter of the planning and utilization of the school buildings, with all their implications of districting, maximum use, class size, required teacher strength, cost of building operation and maintenance, etc., has yet to be attacked in a comprehensive manner. Nor have certain policies which must underlie such a project been clarified.
5. The need for providing the Superintendent with adequate data for efficient personnel administration through a proper system of personnel accounting.
6. It will be noted that there are still recommendations to be adopted in many specific fields: guidance, special education, food service, school hygiene, *et al.*, as are indicated in those respective sections of this report. It is of first importance, however, that those reorganizations and reassignments at the top level be effected which will secure the operating basis necessary for improvement, *e.g.*, in the field of curriculum research the grouping of several functions under the headship of an Assistant Superintendent.

Renewed effort must be made along the lines of that section of the Survey Report which made out a strong and detailed case for increased state aid to Boston schools. The proposition was referred to a legislative commission. In so far as Boston is concerned, the Commission produced the following results:

1. It developed a formula for distribution of state funds on a basis of per pupil and average membership. It is estimated that Boston, under such a formula, would receive some \$2,500,000 to \$3,000,000.
2. It developed a formula of aid for the construction of new buildings, emphasizing the abandonment of old buildings.

The Legislature, however, declined to accept these proposals, the dispute raging chiefly over the method of financing. However, the blue-prints have been made; if a satisfactory means of financing can be achieved, the formula can be made into law and some of the needed relief secured for Boston.

Such outside aid would have met the cost of expansion recommended in the Survey Report, both those relating to salaries and those providing for expansion of educational service. Meanwhile, possible savings might be found in the direction of internal change—maximum utilization of school buildings, optimum class size, pupil-teacher ratio, control over noninstructional personnel; in short, the maximum use and optimum size of plant and personnel.

Finally, while the foregoing report has shown progress in some matters and to some extent, as a matter of fact on many of the recommendations, no action has been taken. Therefore, on many important steps action is imperative. It is imperative at this time because of several forces now set in motion.

It is expected by many observers that the high wartime birth rate will shortly show itself in increased enrollment in the primary grades; also that changed economic conditions and an expanded vocational program will increase enrollment at the secondary level. It is estimated that salary increases will have added probably over \$2,000,000 to the annual budget; a favorable vote on the "equal pay for equal work" referendum will add over another \$1,000,000; modernization of plant will further enlarge appropriations. In the light of such expansion, not only will increased state aid be necessary, but organization and administration must be made as efficient as possible, while still pointed toward desirable educational objectives.

Respectfully submitted,

EDWARD F. MULLEN, Chairman,
ALEXANDER WHEELER,
LEO J. DUNN,
FREDERICK DEANE,
FREDERICK W. ROCHE,
The Finance Commission.

ROBERT E. CUNNIFF,
Secretary.

Placed on file.

REPORT OF COMMITTEE ON PARKMAN FUND.

Coun. LANE, for the Committee on Parkman Fund, submitted the following:

Report on message of Mayor and order (referred September 3, 1947) appropriating \$45,000 from income of George F. Parkman Fund to be expended under direction of Park Commissioners—that same ought to pass.

The report was accepted, and the question came on the passage of the order. The order was passed, yeas 14, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Hurley, Keenan, Kelly, Lane, Linehan, Madden, Moriarty, Russo, Scannell—14.
Nays—0.

WELCOME TO HOLY NAME SOCIETY.

Coun. HURLEY offered the following:

Whereas, The Holy Name Society is now holding its convention in the City of Boston after a lapse of 40 years; and

Whereas, The purpose of the Holy Name Society is the preservation of the principles and teachings of the Holy Redeemer, Jesus Christ, whose creed is the practice of charity and respect of thy fellow-man; and

Whereas, His Holiness, Pope Pius XII, the Vicar of Christ on Earth, Supreme Head of the Holy Name Society, has devoted his life, his energy, and every possible resource at his command for the establishment of a lasting peace on earth and good will to men policy throughout the world; and

Whereas, His Excellency, our own beloved Archbishop, Richard J. Cushing, whose kindly hand has so unselfishly been offered to the sick, the infirm and under-privileged, and who in his charity has offered refuge and hope to the forgotten and downtrodden, and who has instilled a lively confidence in them, is the Director of the Holy Name Society in the Archdiocese of Boston and host to the visiting Holy Name Societies; therefore, be it

Resolved, That the Boston City Council in meeting assembled, September 29, 1947, unanimously welcomes the Holy Name Societies to the City of Boston and wholeheartedly commends the purpose of the convention, which is the promotion of a higher standard of character and living amongst all people; and be it further

Resolved, That the Boston City Council in meeting assembled, September 29, 1947, do hereby urge His Excellency, Archbishop Richard J. Cushing, to impress on the delegates to the Holy Name Convention that the City of Boston is honored to have them as our guests and respectfully request that they favor us with their convention next year.

The rule was suspended, and the resolutions were passed, yeas 20, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Coffey, Cook, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, Moriarty, Muchnick, Russo, Scannell, Sullivan,—20.

Nays—0.

40-HOUR WEEK.

Coun. HURLEY offered the following:

Ordered, That his Honor the Mayor accept the provisions of chapter 649 of the Acts of 1947, which authorizes a 40-hour week for employees of certain cities and towns.

Coun. LINEHAN moved that the order presented by him on September 15, 1947, be taken from the Executive Committee and acted upon at the same time as Councilor Hurley's order. The order referred to is as follows:

Ordered, That chapter 649 of the Acts of 1947, entitled "An Act Authorizing a 40-Hour Work Week for Employees of Certain Cities and Towns," be, and hereby is, accepted.

The rule was suspended, and the orders were passed, yeas 19, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey, Chase, Coffey, Cook, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Moriarty, Muchnick, Russo, Scannell, Sullivan—19.

Nays—0.

RENAMING OF WORCESTER SQUARE.

Coun. HURLEY offered the following:

Ordered, That the Committee in Charge of Naming Squares and Playgrounds be requested, through his Honor the Mayor, to rename Worcester square in the South End of Boston in honor of the late William Thomas Jones, carpenter's mate third class, United States Navy, who gave his life in the defense of his country in the invasion of Salerno Beach, Italy, on September 9, 1943.

Passed under suspension of the rules.

ACCEPTANCE OF SHEAFE STREET AND COOK STREET COURT, WARD 2.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Board of Street Commissioners to lay out and accept as public ways Sheafe street and Cook Street court in Charlestown, Ward 2, Boston.

Passed under suspension of the rules.

COMMENDATION OF CERTAIN POLICE OFFICERS, DIVISION 15.

Coun. KINSELLA offered the following:

Resolved, That the Boston City Council in meeting assembled, September 29, 1947, unanimously commends the police officers of Division 15, Charlestown, for their excellent police work in the recent almost immediate apprehension of two

of the three prisoners who escaped from the Charlestown State's Prison; and be it further

Resolved, That the Boston City Council respectfully represents to the Police Commissioner of the Boston Police Department that adequate reward be made to these men if no reward has as yet been made; and be it further

Resolved, That Sergeant Kelly, Patrolman Kelly, and Patrolman Cawley be further complimented on their alertness and attention to detail and their devotion to duty, which qualities equip them to offer to the citizens of Boston the greatest benefits arising from the performance of their separate and collective duties as protectors of the public.

Passed under suspension of the rules.

CITY ELECTION, NOVEMBER 4.

President KELLY offered the following:

Ordered, That meetings of the citizens of this city qualified to vote for city officers be held at the several polling places designated for the purpose by the Board of Election Commissioners, on Tuesday, the fourth day of November, 1947, to give in their votes for three members of the School Committee for a term of four years, and for one member of the City Council in each ward for term of two years; also to give in their vote "yes" or "no," in answer to the following question:

"Shall the provisions of section forty of chapter seventy-one of the General Laws, as amended, relative to equal pay for men and women teachers be in force in this city?"

The polls at said meetings shall be opened at eight o'clock a. m. and closed at eight o'clock p. m.

Ordered, That the City Clerk be directed to give notice of said meetings by publishing the same as required by law.

Passed under suspension of the rules.

SUSPENSION OF CERTAIN SECTIONS OF CHAPTER 54 AT CITY ELECTION.

President KELLY 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 city election to be held on November 4, 1947.

Passed under suspension of the rules.

Coun. SULLIVAN in the chair.

NAMING OF FIREBOAT FOR JAMES F. McTIGHE.

Coun. McCORMACK, by Coun. BRYAN, offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to name one of the new fireboats James F. McTighe, a hero of World War I, who for years was a member of the Arson Squad. He was a member of Boston Firemen's Post No. 460, Veterans of Foreign Wars

Passed under suspension of the rules.

"SLOW" SIGN AT NORTH STREET AND NORTH SQUARE.

Coun. RUSSO offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to consider the advisability of installing a sign reading "Children—Slow Down" at the intersection of North street and North square, Ward 3.

Passed under suspension of the rules.

"STOP" SIGNS AT PRINCE STREET PLAYGROUND.

Coun. RUSSO offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to consider the advisability of installing "Stop" signs at the Prince Street Playground on Prince street, Ward 3.

Passed under suspension of the rules.

TRAFFIC LIGHTS, NORTH AND
FLEET STREETS.

Coun. RUSSO offered the following:
Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install traffic signal lights at the intersection of North and Fleet streets, Ward 3.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CON-
STABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Con-
stables and Confirmations, submitted the following:

Report on appointments (referred September 15) as Weighers of Goods, for term ending April 30, 1948, of Otto Otterson, 300 Marginal street, East Boston; Melvin M. Gross, 1135 Commonwealth avenue, Allston; Samuel Cohen, 25 Fessenden street, Mattapan; Joseph P. Bulman, 559 Pleasant street, Malden; Alexander J. MacDonald, 119 Montvale avenue, Woburn; Edward J. Doherty, 27 Craigie street, Somerville; Cyril A. Wood, 239 Pleasant street, Arlington—recommending that said appointments be confirmed.

The report was accepted, and the question came on confirmation. Committee, Councilors Moriarty and Keenan. Whole number of ballots 13, yeas 13, nays 0, and the appointments were confirmed.

REQUESTED SUSPENSION OF MICHAEL
OBER AS CONSTABLE.

Coun. BRYAN, MADDEN and COOK offered the following:

Ordered, That his Honor the Mayor, at the request of the Committee on Constables and Confirmations, suspend Michael Ober, an unpaid constable in the city of Boston, for a period of three months.

Referred to the Executive Committee.

SALE OF CITY-OWNED LAND IN
HYDE PARK.

Coun. CANTWELL and LINEHAN offered the following:

Ordered, That the Chairman of the Board of Real Estate Commissioners be requested, through his Honor the Mayor to appear before the Executive Committee meeting of the City Council today to explain the status of the city-owned land in Hyde Park being sold to private real estate operators.

Referred to the Executive Committee.

SALE OF LAND SUITABLE FOR
VETERANS' HOUSING.

Coun. CANTWELL and LINEHAN offered the following:

Ordered, That his Honor the Mayor be requested to direct the Board of Real Estate Commissioners to notify all Boston veterans' organizations of the date of sale of any city-owned land which could possibly be used as the site of veterans' housing.

Passed under suspension of the rules.

WELCOME TO FREEDOM TRAIN.

Coun. COFFEY offered the following:

Resolved, That the Boston City Council in meeting assembled unanimously extends an official welcome on behalf of the people of Boston to the Freedom Train, which is due to arrive and visit our city on October 11 and 12; and be it further

Resolved, That the Boston City Council in meeting assembled urges every citizen of Boston who is able to do so to visit the Freedom Train and see the historic documents it contains; and be it further

Resolved, That the Boston City Council in meeting assembled warmly endorses and approves the drive being conducted by the Boston Post to

make it possible for every man, woman, and child in Boston and throughout New England to sign the Freedom Pledge.

Passed under suspension of the rules.

AMENDMENT OF COUNTY CLASSIFI-
CATION PLAN.

Coun. BRYAN and McCORMACK offered the following:

Ordered, That the Compensation and Classification Plan for the Officers and Employees of Suffolk County be, and hereby is, amended as follows:

In the classification "Court Officer," under "Range of Compensation," insert the following:
"Municipal Court, West Roxbury District.
Annual, \$2,700-\$2,800-\$2,900-\$3,000-\$3,100-\$3,200-\$3,300-\$3,400."

Referred to the Committee on County Accounts.

MAY STREET AS ONE-WAY STREET

Coun. McCORMACK, by Coun. BRYAN, offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to rescind his order and to immediately put May street, Jamaica Plain, Ward 19, back to a one-way street, entering from the Centre street end.

Passed under suspension of the rules.

MEETING OF PUBLIC WELFARE
COMMITTEE.

Coun. MADDEN announced a special meeting of the Committee on Public Welfare to be held Friday, October 3, at 10 a. m., and invited all members of the Council as well as the committee members to be present.

TEMPORARY CHAIRMAN OF EXECUTIVE
COMMITTEE.

Chairman SULLIVAN announced the appointment of Councilor Russo as temporary chairman of the Executive Committee.

SCHOOL FACILITIES AT COLUMBIA
VILLAGE.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor direct the School Committee to provide facilities at Columbia Village for the proper instruction of the children in the kindergarten and first grade classes.

Passed under suspension of the rules.

INCREASED PAYMENTS UNDER RETIRE-
MENT SYSTEM.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor direct the Retirement Board, or have legislation provided, to increase the payments under our Retirement System.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Cantwell the Council voted to take a recess at 3.27 p. m., subject to the call of the Chair. The members reassembled and were called to order by Chairman SULLIVAN at 5.08 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and orders (referred today) for transfers of appropriations—
that same ought to pass.

Report on message of the Mayor and order (referred today) transferring \$50,000 from Reserve Fund to Contingent Fund—that same ought to pass.

The reports were accepted, and the orders were severally passed, yeas 15, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Carey Chase, Cook, Hannon, Keenan, Kinsella, Lane, Moriarty, Muchnick, Russo, Scannell, Sullivan—15.

Nays—0.

2. Report on order (referred today) that the Mayor suspend Michael Ober, an unpaid constable, for a period of three months—that same ought to pass.

The report was accepted, and the order was passed.

3. Report on message of Mayor and order (referred today) accepting conveyance of land on Charlesbank by Metropolitan District Commission, to be placed under care of Park Department and used for park and playground purposes—that same ought to pass.

The report was accepted, and the order was passed.

4. Report on message of Mayor and orders (referred today) naming nine intersections for deceased veterans of World War II—recommending that same ought to pass.

The report was accepted, and the orders were severally passed.

5. Report on message of the Mayor and order (referred today) transferring land and building at 201 Cabot street, corner of Whittier street, from Fire Department to Public Buildings Department—recommending reference to Committee on Public Lands.

The report was accepted, and said order was referred to the Committee on Public Lands.

On motion of Councilor Muchnick, the Council voted to adjourn at 5.14 p. m., to meet on Monday, October 6, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 6, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Fish and Hurley.

The meeting was opened with the salute to the Flag.

JURORS DRAWN.

Jurors were drawn, Councilor Moriarty and Councilor Bryan presiding at the box, in the absence of the Mayor, viz.:

Sixty-three traverse jurors, Superior Criminal Court, to appear November 3, 1947:

Michele Amico, Ward 1; Michael Fagone, Ward 1; Joseph Lazzaro, Ward 1; Joseph E. Farnen, Ward 2; Joseph A. Ametola, Ward 3; Nicholas F. Haddad, Ward 3; Paul Smith, Ward 3; John Stuppiello, Ward 3; John W. Gallagher, Ward 4; Henry Harrison, Ward 4; Cyril D. Hollingsworth, Ward 4; Harry Kimball, Ward 4; Leon Topjian, Ward 4; Myer Finer, Ward 5; Anthony Pasgun, Ward 5; John J. Whelton, Ward 6; Anthony M. Bille, Ward 7; Joseph A. Burke, Ward 7; John Knudsen, Ward 7; Joseph Learner, Ward 8; Dudley Watson, Ward 9; Frank LaMalla, Ward 10; Michael O'Rourke, Ward 10; Albert DeGloria, Ward 11; Samuel Gross, Ward 12; William Jackson, Ward 12; Edmund F. Hennessy, Ward 13; Charles E. Keeler, Ward 13; Louis Berger, Ward 14; Isadore Garber, Ward 14; David Goldstein, Ward 14; Benjamin Goren, Ward 14; Harry Greenberg, Ward 14; Samuel Kahn, Ward 14; John J. McAuliffe, Ward 14; Michael F. Richmond, Ward 14; Aaron Wincer, Ward 14; John A. Cavanaugh, Ward 15; George H. Colman, Ward 16; George A. Daly, Ward 16; Francis P. Fitzgerald, Ward 16; Hector D. Blair, Ward 17; Alexander A. Chandler, Ward 17; Joseph A. Donlin, Ward 17; William L. Kingham, Ward 17; Richard H. Runnalls, Ward 17; Cecil R. Beane, Ward 18; George V. Burns, Ward 18; Joseph Decker, Ward 18; Benjamin Goldstein, Ward 18; James Hain, Ward 18; George W. Harris, Ward 18; Frank Ivan, Ward 18; Michael Tangney, Ward 18; Edwin M. Bleiler, Ward 19; P. Leonard Charlebois, Ward 19; George W. Daws, Ward 19; John F. P. McCarthy, Ward 19; Edward J. O'Malley, Jr., Ward 19; Eugene V. Sullivan, Ward 21; Thomas F. Brady, Ward 22; Thomas P. Everett, Ward 22; Edward M. Machugh, Ward 22.

One hundred forty-six traverse jurors, Superior Civil Court, to appear November 3, 1947:

Dominick Anthony Antico, Ward 1; Amenio Ciampa, Ward 1; F. Sigurd Hall, Ward 1; Clarence A. Powell, Ward 1; John D. Graham, Ward 2; Wendell P. Tuttle, Ward 2; Joaquin Agra, Ward 3; Giovanni Aliberti, Ward 3; Angelo Arona, Ward 3; Albert Grande, Ward 3; Chester Maupas, Ward 3; Louis Schlar, Ward 3; Alfonso Zizza, Ward 3; Daniel MacDonald, Ward 4; Daniel D. O'Connell, Ward 4; Nathaniel Shaw, Ward 4; Maurice E. White, Ward 4; Christopher J. Collins, Ward 5; Kenneth D. Gilmore, Ward 5; Wilfred P. Goodrow, Ward 5; Charles L. Harding, Ward 5; John P. Putnam, Ward 5; Hubert C. Seale, Ward 5; Joseph Connolly, Ward 6; Michael J. Connolly, Ward 6; Walter T. Rollins, Ward 6; Albert J. White, Ward 6; Thomas G. Barr, Ward 7; George A. Grushey, Ward 7; Joseph P. Meehan, Ward 7; George L. Schmidt, Ward 7; Patrick J. Shanahan, Ward 7; Peter Zoza, Ward 7; John H. Keane, Ward 8; Robert H. Moss, Ward 8; Frederick O. White, Ward 8; Arthur L. Charpentier, Ward 9; Martin J. Costello, Ward 9; James Hall, Ward 9; Guy Juliano, Ward 9; Thomas Quinn, Ward 9; James J. Hickey, Ward 10; John J. Kelley, Ward 10; Peter McAdams, Ward 10; Otto A. Schoen, Ward 10; James J. Crawford, Ward 11; Joseph Forde, Ward 11; Jacob Gateman, Ward 11; Robert

E. Hurd, Ward 11; Hyman Leavitt, Ward 11; Charles McCarthy, Ward 11; Francis M. Regan, Ward 11; Charles J. Santoro, Ward 11; Alex Simboli, Ward 11; Louis Feinstein, Ward 12; Louis Lurie, Ward 12; Hubert R. McDowell, Ward 12; Alexander O'Hanley, Ward 12; Israel Orenson, Ward 12; Philip F. Raesler, Ward 12; Samuel Slotnick, Ward 12; Mathew Terry, Ward 12.

Joseph Comella, Ward 13; Daniel J. Conway, Ward 13; William T. Dever, Ward 13; Edgemont H. Evans, Ward 13; Walter Hale, Ward 13; Peter A. Lahaie, Ward 13; Thomas McCabe, Ward 13; Patrick J. Scahill, Ward 13; Daniel C. Sullivan, Ward 13; Thomas A. Talbot, Ward 13; Solomon Agranat, Ward 14; John H. Block, Ward 14; Max Cohen, Ward 14; Daniel J. Crowley, Ward 14; Hyman Frank, Ward 14; Henry Fredey, Ward 14; J. Harold Jackson, Ward 14; Martin M. Levin, Ward 14; Max Shubert, Ward 14; David Vigor, Ward 14; Joseph R. Ioannilli, Ward 15; Elmer S. Moore, Ward 15; William D. Richards, Ward 15; Howard W. Smith, Ward 15; Patrick J. Callahan, Ward 16; Frank Gavian, Ward 16; Walter J. Masuret, Ward 16; Frederick McDonnell, Ward 16; John J. Moran, Ward 16; Walter F. Richardsen, Ward 16; William Roberts, Ward 16; Henry J. Rust, Ward 16; Walter W. Stevens, Ward 16; Michael P. Canney, Ward 17; John J. Courtney, Ward 17; Charles R. Creighton, Ward 17; J. Edward Jansen, Ward 17; Edward G. Loggren, Ward 17; Charles H. Phipps, Ward 17; William H. Schroth, Ward 17; John S. Wood, Ward 17; Robert I. Bell, Ward 18; Morris Brown, Ward 18; Prentiss S. Colburn, Ward 18; Richard F. Grant, Ward 18; Ralph A. Hart, Ward 18; Axel N. Johanson, Ward 18; Eugene J. McCarthy, Ward 18; Corbett Pittman, Ward 18; Earl G. Rowell, Ward 18; Joseph C. Ryan, Ward 18; Isadore Sieder, Ward 18; James F. Zick, Ward 18; Robert C. Cahalin, Ward 19; Charles F. Hanson, Ward 19; John W. Hanson, Ward 19; Harry Tutelian, Ward 19; Fred T. Vincent, Ward 19; Joseph F. Cannata, Ward 20; Frederick R. Cronin, Ward 20; Edgar Davenport, Ward 20; John J. Hurley, Ward 20; Charles E. Moon, Ward 20; Bernard J. Ross, Ward 20; Tullio W. Stanziani, Ward 20; Walter M. Baker, Ward 21; Harry D. Barr, Ward 21; George T. Brodie, Ward 21; Jacob A. Colmes, Ward 21; Thomas F. Fanning, Ward 21; William G. Hathaway, Ward 21; Frederick A. Hennessey, Ward 21; Philip H. Lewien, Ward 21; James F. Maguire, Ward 21; Louis Rosenthal, Ward 21; Alfred A. Simon, Ward 21; Raymond W. Wheeler, Ward 21; Harry J. Braverman, Ward 22; William J. Burke, Ward 22; Francis H. Burton, Ward 22; William James Colter, Ward 22; Peter Davin, Ward 22; Charles W. O'Neil, Ward 22; Cyril M. Stevens, Ward 22.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Goods, for term ending April 30, 1948: Augustine J. Fay, 5 Ainsworth street, Roslindale, Mass.; William F. O'Connor, 25 Burton street, Brighton, Mass.; Francis Haycs, 34 Pico avenue, Winthrop, Mass.; John P. Corbett, 16 Oak square, Brighton, Mass.; Herman P. Schramm, 24 Kitredge street, Roslindale, Mass.; Milton Keleislick, 92 Woodrow avenue, Dorchester, Mass.

Referred to the Committee on Constables and Confirmations.

NAMING OF FIRE BOAT FOR JAMES F. MCTIGHE.

The following was received:
City of Boston,
Office of the Mayor, October 3, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Fire Commissioner relative to your order of September 29, concerning the naming of one of the new fire boats in honor of James F. McTighe.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Fire Department, October 2, 1947.
Hon. John B. Hynes,

Temporary Mayor of Boston.

Dear Mr. Mayor.—I acknowledge receipt of the City Council order requesting that one of the new fire boats be named in honor of James F. McTigue.

Inasmuch as the present fire boats are named after World War I veterans, it might seem more appropriate to give consideration to a deceased veteran of World War II who was a former member of this department.

Respectfully yours,
RUSSELL S. CODMAN, JR.,
Fire Commissioner.

Placed on file.

TRANSPORTATION OF SCHOOL CHILDREN FROM COLUMBIA VILLAGE.

The following was received:

City of Boston,
Office of the Mayor, October 3, 1947.
To the City Council.

Gentlemen,—I submit herewith communication from the School Committee with reference to your orders of September 3 and September 15 concerning bus transportation for school children living at the Columbia Village Project.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
School Committee, October 1, 1947.
Hon. John B. Hynes,

Temporary Mayor of Boston.

Dear Sir,—At a recent conference of the School Committee, orders passed by the City Council under dates of September 3 and September 15, 1947, requesting "that provision be made for bus transportation for school children living in the veterans' temporary housing project located at Columbia Village (Camp McKay)," were referred to the Board of Superintendents.

The Board of Superintendents reported to the committee that under section 68 of chapter 71 of the General Laws, the School Committee may not furnish transportation to school children going to and coming from school where the distance thereto and therefrom is two miles or less. The committee would respectfully inform the City Council that the Cora Etheridge School on Harbor View street, Dorchester, is nine-tenths of a mile from Columbia Village.

Very truly yours,
LOUISE KANE, Secretary.

Placed on file.

TRANSFERS OF APPROPRIATIONS.

The following were received:

City of Boston,
Office of the Mayor, October 6, 1947.
To the City Council.

Gentlemen,—The inclosed request for transfer of appropriations, together with the accompanying order, is forwarded for consideration and adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Park and Playground Improvements, etc., \$9,000, to the appropriation for Park Department, A-2, Temporary Employees, \$9,000.

City of Boston,
Office of the Mayor, October 6, 1947.
To the City Council.

Gentlemen,—The inclosed request for transfer of appropriations, together with accompanying order, is presented for consideration and approval by your Honorable Body.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Park and Playground Improvements, \$3,500, to the appropriation for Park Department, D-9, Educational and Recreational, \$3,500.

Severally referred to the Executive Committee.

APPROPRIATION FOR SMALL PARK, SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, October 6, 1947.
To the City Council.

Gentlemen,—There is forwarded herewith a communication from the chairman of the Park Commissioners requesting an appropriation of \$20,000 for the purchase of land and buildings on Macallen street and Dorchester avenue in the South Boston district of Boston in order that the area may be developed into a small public park or triangle.

In compliance with this request there is forwarded herewith an order appropriating this sum of \$20,000 from the Special Account, Sales of City Property to the Park Department, adoption of which is recommended by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, October 3, 1947.
Hon. John B. Hynes,

Temporary Mayor of Boston,

Dear Sir,—I respectfully request that an appropriation of \$20,000 be made for the cost of acquiring the land and buildings thereon, and the development of the area into a public park, on Macallen street and at the southwest corner of Dorchester avenue, South Boston.

The land in question is as shown on the plan of the Street Laying-Out Department, dated March 8, 1945, signed Thomas F. McGovern, Chief Engineer, in two parcels, one of which contains 1,222 square feet and the other 1,473 square feet.

The Street Commissioners, under its authority, in order to round off this dangerous corner, made a taking of private property to the actual street line of the proposed widening.

The rear portions of the lots taken for street widening purposes, with the buildings thereon, should be taken for public purposes. It is intended to develop the area into a public park or triangle similar to the other small public parks and triangles at other intersections in the city.

I respectfully request that \$20,000 be made immediately available to this department for this purpose, from any available source outside of any of the present Park Department appropriations.

Respectfully yours,
JOHN J. MURPHY, Chairman.

Ordered, That under the provisions of section 63 and section 7, clause 2 of chapter 44 of the General Laws, the sum of twenty thousand dollars (\$20,000) be, and the same is, appropriated from the Special Account, Sales of City Property, to be expended under the direction of the chairman of the Park Commission, as follows:

Acquisition of land for the establishment of a park in the South Boston district; \$20,000
Referred to the Executive Committee.

PETITIONS REFERRED.

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

Claims.

E. V. Bouchard, for compensation for damage to car by fire truck.

Thomas Conlon, for compensation for damage to property at 318 Cummins Highway, during construction work.

Mary DeMartino, for compensation for collapse of water boiler at 11 Marshfield street, caused by water being shut off.

Dominic P. DeRocco, for compensation for damage to car caused by gate at Deer Island.

Bernard Leventhal—Chez Vous Rollerway, for compensation for damage to property at 11 Rhoades street, caused by bursting of water main.

Josephine Mutti, for compensation for damage to car caused by an alleged defect in Rutherford avenue.

M. G. Phinney, for compensation for collapse of water boiler at 12 Upham avenue, Dorchester, caused by water being turned off.

Catherine Tately, for compensation for injuries caused by an alleged defect in Highland street.

Ariel Totman, for compensation for injuries caused by an alleged defect in Causeway street.

Executive.

Petition of Alice R. Newman, to be paid annuity on account of death of husband, Augustus J. Newman, late member of Fire Department.

Petition of Grace E. Bowler, to be paid annuity on account of death of husband, Edmund I. Bowler, late member of Fire Department.

Petition of Grace E. Henderson, to be paid annuity on account of death of husband, Frank J. Henderson, late member of Police Department.

Committee on Licenses.

Petitions for permit to operate bowling alleys on the Lord's Day:

Allston Bowladrome, Abraham Feingold, 160 Brighton avenue, Allston.

Arborway Bowlaway, Edward H. Margolis, 1 Boynton street, Jamaica Plain.

Arlington Square Bowling Alleys, Kenneth Y. MacDonald, 392 Tremont street.

Boston Daylight Alleys, Antonio Botta, 107 Cambridge street.

Columbia Billiard Company Alleys, Nicholas J. Poulakis, 558 Columbia road, Dorchester.

Commonwealth Recreation Bowling Alleys, Joseph Grant, 1105 Commonwealth avenue, Brighton.

The Congress Billiard and Bowling Supply Company, Clement J. Dore, 1505 Veterans of Foreign Wars Parkway, West Roxbury.

Charles R. Conley, 184 Dudley street, Roxbury.

Eagle Bowling Alleys, Joseph Grant, 2235 Washington street, Roxbury.

Egleston Bowlaway, Iorio Bowling Alleys Company, Inc., Arthur Iorio, 3182-3188 Washington street, Jamaica Plain.

Fields Corner Daylight Alleys, Inc., Joseph Bonigli, 289 Adams street, Dorchester.

German Educational Society, August Berkes, 194 Heath street, Roxbury.

German Workingmen's Association, Ernst See-muller, 22 Amory avenue, Roxbury.

Glenville Bowling Alleys, Nettie L. Luffy, 2 Glenville terrace, Allston.

Granville Club, Inc., George H. Pfeiffer, president, 15 Granville street, Roslindale.

Hub Bowling Alley, Marie Kittrell, 216 Hanover street.

Huntington Alleys of Boston, Edward H. Margolis, 255 Huntington avenue.

Hyde Square Bowlaway, Iorio Bowling Alleys Company, Inc., Arthur Iorio, 403 Centre street, Jamaica Plain.

Jamaica Bowlaway, Iorio Bowling Alleys Company, Inc., Arthur Iorio, 702A Centre street, Jamaica Plain.

Margaret M. Johns, 1453 Dorchester avenue, Dorchester.

Kenmore Recreation, Inc., Tobias Wolbarst, 68 Lansdowne street.

Lee S. King, 466-468C Blue Hill avenue, Dorchester.

Mattapan Bowladrome, Samuel Orren, 1348 Blue Hill avenue, Mattapan.

Maverick Garden Bowladrome, Frank Magaletta, 2 Maverick square, East Boston.

McCarthy Brothers Bowling, John J. McCarthy, 761 Huntington avenue, Roxbury.

Alvaro Mezzetti, basement, South Station, Atlantic avenue.

Miah J. Murray, Inc., John F. Ierardi, president, 1156 Washington street.

Mount Pleasant Bowling and Billards, John F. McLaughlin, 590 Dudley street, Dorchester.

New Egyptian Alleys, Waldo C. Nardella, 345 Washington street, Brighton.

North Station Bowling Alleys, Gene DeMarco, 22½ Friend street.

Orient Palace Bowlaway, Thomas A. Sweeney, 983 Bennington street, East Boston.

Dominick Rubbico, 4264 Washington street, Roslindale.

Pasquale Rubbico, 448 West Broadway, South Boston.

Samuel Selitt, 126 and 128 Summer street.

South Station Bowling Alleys, Joseph Grant, 669 Atlantic avenue.

Strand Daylight Bowling Alleys, Ulysses L. Ingraham, 543 Columbia road, Dorchester.

Webster Bowling Alleys, Joseph Grant, 26 Taber street, Roxbury.

West Roxbury Liederkranz, Lee M. Jekowski, 46 Rockland street, West Roxbury.

PERMITS FOR CHILDREN.

Petitions for children under fifteen years of age to appear at places of public amusement were received as follows:

Boston Tributary Theatre, New England Mutual Hall, October 10, 11 and 31, and November 1.

Tributary Children's Theatre, New England Mutual Hall, October 11, 13 and 25.

Margaret E. Butman, Recital Hall, October 18, 1947.

Permits granted, under usual conditions.

APPROVAL OF VETERANS' HOUSING PROJECT, RIVER STREET, MATTAPAN.

Notice was received from the State Board of Housing of adoption of resolution approving application of City of Boston, acting through the Boston Housing Authority, to take appropriate action under section 6 of chapter 372 of Acts of 1946, as amended, re proposed veterans' housing project on River street, Mattapan, contracts No. 1 and No. 2.

Placed on file.

ASSIGNMENT OF JUDGES.

Notice was received from the Chief Justice of the Supreme Judicial Court of assignment of Charles F. Gadsby as judge of Appellate Division of Northern District from October 1, 1947, to September 30, 1950, and designation of Charles I. Pettingell as presiding judge for Northern District from October 1, 1947, to September 30, 1948.

Placed on file.

APPOINTMENT OF KEEPER OF LOCKUP.

Notice was received from the Police Department of appointment of John F. Petitti to be Keeper of Lockup.

Placed on file.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following.

Report on appointment (referred September 29) of Robert N. Black, Martin H. Dunne, Daniel J. O'Donnell, George A. Rauscher, Carl H. Rauscher, to be Weighers of Goods—recommending that appointments be confirmed.

Report on appointment (referred September 29) of Ralph G. Magin, Daniel J. O'Donnell, Frieda L. Sacks, to be Weighers of Coal—recommending that appointments be confirmed.

The reports were accepted, and the question came on confirmation. Committee, Councilors Moriarty and Chase. Whole number of ballots 12; yeas 12, nays 0, and the appointments were confirmed.

EXPEDITE THE EQUIPPING OF SOUTH BOSTON GYMNASIUM.

Coun. LINEHAN and SCANNELL offered the following:

Ordered, That his Honor the Mayor request the Commissioner of Public Buildings and the Park Commissioner to speed up the work of equipping

the South Boston Municipal Gymnasium with athletic equipment and proper shower facilities so that the gymnasium will be in proper condition for use during the fast approaching fall and winter seasons.

Passed under suspension of the rules.

EMPLOYMENT OF PHYSICALLY HANDICAPPED.

Coun. LANE, MADDEN, McCORMACK and HANNON offered the following:

Whereas, In 1946, the City of Boston led every other city in the nation in the drive to place handicapped persons in gainful employment; and

Whereas, The President of the United States has declared the week of October 6th to October 12th national "Employ the Physically Handicapped Week;" therefore be it

Resolved, That the members of the Boston City Council, in meeting assembled, heartily endorse the proclamation and program of the President of the United States to place physically handicapped persons in gainful employment, and urge the cooperation of every employee in the City of Boston, to the end that Boston may retain its honorable first place in the nation by reason of continued efforts to aid those who are perfectly capable of performing many duties and specialized employment, requiring exceptional skill and talents, despite the fact that they are in some way physically handicapped.

Passed under suspension of the rules.

INCREASED PENSIONS FOR CERTAIN RETIRED EMPLOYEES.

Coun. HANNON offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation to authorize the city to increase the pensions of employees retired prior to October 1, 1946, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rules.

COLLECTION OF ASHES AND GARBAGE BY CITY FORCES.

Coun. CHASE and BAYLEY offered the following:

Ordered, That his Honor the Mayor consider the advisability of having all future collections of ashes and garbage performed by regular city forces.

Passed under suspension of the rules.

LOWERING OF ADMISSION AGE TO KINDERGARTENS.

Coun. COOK offered the following:

Resolved, That the School Committee be requested, through his Honor the Mayor, to hold a meeting and decide the question of lowering the entrance age of children to kindergarten classes in accordance with resolution of September 3, 1947, passed by the Boston City Council.

Passed under suspension of the rules.

RESURFACING OF CERTAIN WARD 4 STREETS.

Coun. CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to arrange for the resurfacing, with smooth type asphalt, of the following streets in Ward 4:

Hemenway street, Haviland street.

Passed under suspension of the rules.

BAN OF HEAVY TRUCKING ON HEMENWAY STREET.

Coun. CHASE offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to arrange for the assignment of police officers to enforce the traffic regulations forbidding heavy trucking on Hemenway street, Ward 4.

Passed under suspension of the rules.

JOHN FRANCIS ARMSTRONG SQUARE.

Coun. KELLY offered the following:

Ordered, That the space at the junction of Norton and Bowdoin streets, Ward 15, be named John Francis Armstrong Square, in honor of this young hero of World War 2, who served on the destroyer U. S. S. "Bache" and was killed in action in the Pacific area, near Okinawa, on May 13, 1945, and that suitable signs be erected designating same.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Report on petition of Boston Elevated Railway Company (referred July 14) for license to operate motor buses between West Roxbury Parkway and Belgrade avenue and Centre street and Belgrade avenue — recommending that license be granted.

Report accepted; said license granted, under usual conditions.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of Matthew J. O'Brien (referred August 18) to be reimbursed as a result of execution issued against him on account of his acts as operator of ambulance belonging to Boston City Hospital — recommending passage of accompanying order:

Ordered, That the sum of seven hundred fifty dollars (\$750) be allowed and paid to Matthew J. O'Brien in reimbursement for amount of execution issued against him on account of his acts as operator of ambulance belonging to the Boston City Hospital, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

ELECTRIC LIGHT, ROSECLAIR STREET.

Coun. LINEHAN offered the following:

Ordered, That his Honor the Mayor request the Public Works Commissioner to install an electric light on Roseclair street directly behind St. Margaret's Church, Ward 7.

Passed under suspension of the rules.

SPOT LIGHTS, 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 spot lights in front of the Mission Church and at Brigham Circle, in Ward 10, to aid police officers in the directing of traffic.

Passed under suspension of the rules.

ABUSE FROM GARBAGE TRUCK HELPERS.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to ask that the various contractors engaged in the removal of ashes and garbage attend a meeting at his office at which time the matter of the abuse inflicted upon the residents of the city by the helpers on the trucks engaged in such removal may be fully discussed.

Passed under suspension of the rules.

INFORMATION RE OFF-STREET PARKING PROJECTS.

Coun. RUSSO offered the following:

Ordered, That the Board of Real Estate Commissioners be requested, through his Honor the Mayor, to inform the City Council as to the status of the off-street parking projects, to inform us as to the locations, and how many they intend to build, and why nothing has been done to this date.

Passed under suspension of the rules.

EXTRADITION OF JAMES HINES.

Coun. MUCHNICK and CHASE offered the following:

Whereas, James Hines of Mobile, Ala., has been living with his wife and two children in Boston, Mass., for some time as a law-abiding citizen; and

Whereas, The said Hines has escaped from a chain gang in Alabama to which he was sentenced for many years for the theft of five dollars; therefore be it

Resolved, That the City Council of the City of Boston respectfully urges the Governor of the Commonwealth not to return the said Hines to the Alabama authorities if upon examination it appears the facts are as claimed by him.

The resolution was ruled out of order.

SEWER DIVISION IN BRIGHTON DISTRICT.

Coun. MADDEN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to establish a Sewer Division in the Brighton district.

Passed under suspension of the rules.

INCREASED OLD AGE AND WELFARE ALLOWANCES.

Coun. MADDEN offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Public Welfare Department to double the present allowances given to old age assistance and other recipients of welfare aid, due to the decline in the value of the dollar and the extremely high prices charged for food, clothing, etc.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY CHAIRMAN OF EXECUTIVE COMMITTEE.

President KELLY appointed Councilor Russo as temporary chairman of the Executive Committee.

RECESS.

On motion of Councilor Kinsella, the Council voted at 3.34 p. m. to take a recess, subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 3.45 p. m.

THE NEXT MEETING.

On motion of Councilor Kinsella, the Council voted that when it adjourn it be to meet on Monday, October 20, 1947 at 2 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

Report on message of Mayor and order (referred today) for transfer of \$3,500 from Special Appropriation, Park and Playground Improvements, to Park Department, Educational and Recreational — that same ought to pass.

The report was accepted, and the question came on the passage of the order. The order was passed, yeas 12, nays 0:

Yeas — Councilors Bayley, Bryan, Carey, Hammon, Keenan, Kelly, Kinsella, Linehan, Madden, McCormack, Russo, Scannell — 12.
Nays — 0.

Coun. RUSSO in the chair.

RECONSTRUCTION OF SIDEWALK, WASHINGTON STREET, ROSLINDALE.

Coun. McCORMACK offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to reconstruct the sidewalks along Washington street, from Forest Hills to Roslindale square;

Passed under suspension of the rules.

IMPROVEMENT OF JAMAICA POND SHORE.

Coun. McCORMACK offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to repair the walks and beautify the hedges and landscaping around the shore of Jamaica Pond.

Passed under suspension of the rules.

REFUSE DISPOSAL.

Coun. MADDEN offered the following:

Ordered, That the Public Works Commissioner be directed to immediately construct a huge central incinerator in the South End section of Boston so that said incinerator will be so situated that it will be possible to heat and light the Boston City Hospital from this incinerator.

Ordered, That the Public Works Commissioner be directed to break up the present refuse disposal districts into districts approximately the size and boundaries of the present ward lines.

Ordered, That the Public Works Commissioner be directed to discontinue the practice of paying contractors for disposing of swill, and in lieu thereof, for the city to itself dispose of swill by public auction.

Ordered, That the Public Works Commissioner be directed to inform the members of the Boston City Council the true status of the title and operation of Mile road, i.e., what the city rents said property to Coleman Brothers for, and what, in turn, the city pays Coleman Brothers for operating same.

Ordered, That the Commissioner of Public Works be directed, by his Honor the Mayor, to inform the Boston City Council in a detailed report the amounts of the bids recently presented for ash and garbage collections, especially those rejected by him, and his reasons for their rejections.

Passed under suspension of the rules.

Adjourned, on motion of Councilor Keenan, at 3.53 p. m., to meet on Monday, October 20, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.
(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 20, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Cook, Fish and Muchnick.

The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

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

Constable, for term ending April 30, 1948, authorized to serve civil process upon filing of bond: Andrew Martin, 154 Stanwood street, Roxbury, Mass.

Weigher of Coal, for term ending April 30, 1948: George J. Hamilton, Jr., 30 Beal street, Winthrop, Mass.

Severally referred to the Committee on Constables and Confirmations.

KINDERGARTEN ENTRANCE AGE.

The following was received:

City of Boston,

Office of the Mayor, October 16, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the School Committee of the City of Boston relative to your order of October 6, 1947, concerning the lowering of the entrance age of children to kindergarten classes.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,

School Committee, October 15, 1947.

Hon. John B. Hynes,

Temporary Mayor of Boston.

Dear Sir,—An order passed by the City Council under date of October 6, 1947, requesting "that the School Committee, through his Honor the Mayor, hold a meeting and decide the question of lowering the entrance age of children to kindergarten classes in accordance with resolution of September 3, 1947, passed by the Boston City Council," has been received.

I would respectfully inform you that the School Committee, at a conference held on October 8, 1947, reaffirmed its decision—that the entrance age for admission to kindergarten shall be four years and six months as of September 15.

Very truly yours,

LOUISE KANE, Secretary.

Placed on file.

KINDERGARTEN FACILITIES AT COLUMBIA VILLAGE, ETC.

The following was received:

City of Boston,

Office of the Mayor, October 16, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the School Committee of the City of Boston relative to your order dated September 29, 1947, relative to providing facilities at Columbia Village for the proper instruction of the children in the kindergarten and first grade classes.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,

School Committee, October 15, 1947.

Hon. John B. Hynes,

Temporary Mayor of Boston.

Dear Sir,—At a conference of the School Committee held on October 8, 1947, an order passed by the City Council under date of September 29, 1947, was presented, requesting "that his Honor the

Mayor direct the School Committee to provide facilities at Columbia Village for the proper instruction of the children in the kindergarten and first grade classes."

The superintendent reported to the committee that at his request, Mr. James J. Mahar, engineer, had talked with a representative of the Boston Housing Authority, who stated that there was no available space which could be used for a first grade. The Housing Authority is now engaged in preparation of a kindergarten and if the kindergarten numbers will permit of the use of part of the room for a first grade, the Housing Authority will arrange a partition to care for approximately 16 pupils of Grade I. The superintendent reported, however, that there were enough pupils in the kindergarten for a double session which would seem to prohibit the establishment of a first grade at this time. If later on, space can be found by the Housing Authority to take care of a first grade, the superintendent will be glad to provide a teacher.

The report of the superintendent was accepted by the committee.

Very truly yours,

LOUISE KANE, Secretary.

Placed on file.

RESURFACING OF HEMENWAY AND HAVILAND STREETS.

The following was received:

City of Boston,

Office of the Mayor, October 10, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of October 6, 1947, concerning the resurfacing with smooth type asphalt of Hemenway and Haviland streets, in Ward 4.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,

Public Works Department,
October 9, 1947.

Mr. J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works arrange for the resurfacing, with smooth type asphalt, the following streets in Ward 4: Hemenway street, Haviland street.

Please be advised that it is a little late in the season to arrange for this work but kindly rest assured that these streets will be put on the list of streets to be given consideration for reconstruction during the coming year.

Very truly yours,

ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

RENT AND INCOME SCHEDULES, LOW-INCOME DEVELOPMENTS.

The following was received:

City of Boston,

Office of the Mayor, October 14, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Boston Housing Authority, together with copies of rent and income schedules for low-income developments, as requested in your order of September 15, 1947.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

Boston Housing Authority.

October 10, 1947.

Hon. John B. Hynes,

Mayor of Boston.

Dear Mayor Hynes,—This Authority is in receipt of your memorandum inclosing an order in Council of September 15, 1947, introduced by Councilor Michael Leo Kinsella, requesting the Boston Housing Authority to submit rent and income schedules for low-income developments to the members of the Boston City Council.

A copy of this schedule is attached. If there is any further data you wish please advise this office.

Very truly yours,

JEREMIAH F. SULLIVAN,
Acting Executive Director.

BOSTON HOUSING AUTHORITY MONTHLY CHARGE AND INCOME SCHEDULE.

SHELTER RENTS, UTILITIES, AND FAMILY INCOME LIMITS.

Monthly Rent.	0 Minor Dependents.	1 and 2 Minor Dependents.	Monthly Rent.	3 and 4 Minor Dependents.	5 and 6 Minor Dependents.	7 and 8 Minor Dependents.	9 and 10 Minor Dependents.	11 and Over Minor Dependents.
\$15	\$700	\$744	*\$15	\$800	\$850	\$900	\$950	\$1,000
18	844	884	18	950	1,000	1,050	1,100	1,150
21	984	1,034	21	1,100	1,150	1,200	1,250	1,300
24	1,124	1,174	24	1,250	1,300	1,350	1,400	1,450
27	1,274	1,324	27	1,400	1,450	1,500	1,550	1,600
30	1,414	1,464	30	1,550	1,600	1,650	1,700	1,750
33	1,564	1,604	33	1,700	1,750	1,800	1,850	1,900
36	1,704	1,754	36	1,850	1,900	1,950	2,000	2,050
39	1,844	1,894	39	2,000	2,050	2,100	2,150	2,200
40	1,894	1,944	40	2,050	2,100	2,150	2,200	2,250
42	1,984	2,024	42	2,150	2,200	2,250	2,300	2,350
45	2,100	2,150	45	2,300	2,350	2,400	2,450	2,500
48	2,250	2,294	48	2,450	2,500	2,550	2,600	2,650
50	2,344	2,400	60	2,550	2,600	2,650	2,700	2,750
53	2,500	2,544	53	2,700	2,750	2,800	2,850	2,900
55	2,600	2,650	55	2,800	2,850	2,900	2,950	3,000
58	2,750	2,800	58	2,950	3,000	3,050	3,100	3,150
60	2,850	2,900	60	3,050	3,100	3,150	3,200	3,250

COST OF UTILITIES.

- 1 Bedroom, \$7.
- 2 Bedroom, \$10.
- 3 Bedroom, \$12.50
- 4 Bedroom, \$15.
- 5 Bedroom, \$18.

SHELTER RENT is the difference between the monthly rent charged and the cost of utilities.
 May 20, 1947.

3 OR MORE MINOR DEPENDENTS.

- 2 Bedroom, Maximum Admission, \$1,950.
- 3 Bedroom, Maximum Admission, \$2,000.
- 4 Bedroom, Maximum Admission, \$2,100.
- 5 Bedroom, Maximum Admission, \$2,200.

- 2 Bedroom, Continued Occupancy Limit, \$2,440.
- 3 Bedroom, Continued Occupancy Limit, \$2,500.
- 4 Bedroom, Continued Occupancy Limit, \$2,625.
- 5 Bedroom, Continued Occupancy Limit, \$2,750.

LESS THAN 3 MINOR DEPENDENTS.

- 1 Bedroom, Maximum Admission, \$1,900.
- 2 Bedroom, Maximum Admission, \$1,950.
- 3 Bedroom, Maximum Admission, \$2,000.
- 4 Bedroom, Maximum Admission, \$2,050.

- 1 Bedroom, Continued Occupancy Limit, \$2,375.
- 2 Bedroom, Continued Occupancy Limit, \$2,440.
- 3 Bedroom, Continued Occupancy Limit, \$2,500.
- 4 Bedroom, Continued Occupancy Limit, \$2,565.

Families receiving rental allotments from welfare agencies will pay the following monthly rents: 1 bedroom, \$31; 2 bedroom, \$33; 3 bedroom, \$35; 4 bedroom, \$36; 5 bedroom, \$37.
 * Minimum Rent, 5 bedroom, \$18.
 Placed on file.

SHORE IMPROVEMENTS, JAMAICA POND.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the chairman of the Park Department relative to your order of October 6 concerning the repairing of walks, the beautification of hedges and landscaping around the shore of Jamaica Pond.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, October 15, 1947.
Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I am in receipt of your memorandum of October 8 with inclosure, order of the City Council that the Park Commissioner be requested, through his Honor the Mayor, to repair the walks and beautify the hedges and landscaping around the shore of Jamaica Pond.

I am not satisfied with the condition of the walks, slopes and shrubbery around Jamaica Pond. I realize that the work that should be done around the pond is a more or less major undertaking, for which no funds are at present available. However, when our budget for 1948 is being made up, I will see that a request is included for sufficient funds to carry out the improvements needed at the pond, such as reconstruction of walks, beautifying shores, etc.

Very truly yours,
JOHN J. MURPHY, Chairman.

Placed on file.

TRAFFIC SIGNALS, CHESTNUT HILL AVENUE AND CHISWICK ROAD.

The following was received:

City of Boston,
Office of the Mayor, October 14, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of September 15, 1947, concerning the installing of automatic traffic signals at the corner of Chestnut Hill avenue and Chiswick road, Brighton.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Traffic Commission, October 10, 1947.
Hon. John B. Hynes,
Mayor of Boston.

Dear Sir,—In reply to the City Council order of September 15, 1947, filed by Councilor Madden, asking that the Boston Traffic Commission install automatic traffic signals at the intersection of Chestnut Hill avenue and Chiswick road, Brighton, please be advised that at the present time there are no funds available for the installation of traffic lights. When, and if, money becomes available every consideration will be given to the Councilor's request.

Respectfully,
LEO F. CURLEY, Commissioner.

Placed on file.

HEAVY TRUCKING BAN, HEMENWAY STREET.

The following was received:

City of Boston,
Office of the Mayor, October 10, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Police Commissioner relative to your order of October 6, 1947, concerning the assignment of police officers to enforce the traffic regulations forbidding heavy trucking on Hemenway street.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Police Department, October 9, 1947.

J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—This will acknowledge receipt of your communication of October 8 inclosing Council order of October 6 relative to assignment of police officers to enforce the traffic regulations forbidding heavy trucking on Hemenway street, and would advise that it has been called to the attention of the captain of that division.

Very truly yours,
T. F. SULLIVAN,
Police Commissioner.

Placed on file.

INVESTIGATION OF HIGH COST OF FOOD, ETC.

The following was received:

City of Boston,
Office of the Mayor, October 8, 1947.
To the City Council.

Gentlemen,—I am in receipt of a communication from John F. Sonnett, Assistant Attorney-General, with reference to your order of September 15, concerning investigation of high prices for food and other necessities of life.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Department of Justice,
Washington, October 3, 1947.

Hon. John B. Hynes,
Temporary Mayor.

Dear Mayor Hynes,—With reference to the order passed by the City Council of Boston on September 15, 1947, requesting that the Attorney-General send agents to investigate the high prices of food, clothing and other necessities of life in the City of Boston, it would be appreciated if any information you may have concerning price conspiracies in these fields be submitted to Grant W. Kelleher, Chief of the Boston Antitrust Office, located at 805 Shawmut Bank Building.

Your cooperation is very much appreciated.
Sincerely,
JOHN SONNETT,
Assistant Attorney-General.

Placed on file.

ELECTRIC LIGHT ON ROSECLAIR STREET, WARD 7.

The following was received:

City of Boston,
Office of the Mayor, October 15, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of October 6, 1947, concerning the installing of an electric light on Roseclair street, directly behind St. Margaret's Church, Ward 7.

Respectfully yours,
JOHN B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department,
October 14, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works install an electric light on Roseclair street, directly behind St. Margaret's Church, Ward 7, and this will advise you that the Lighting Service of the Public Works Department will have a survey made of this location with a view to making the installation.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

TRANSFERS OF APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, October 20, 1947.
To the City Council.

Gentlemen,—The inclosed requests for transfers of appropriations, together with the accompanying

orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Hospital Department, Sanatorium Division, Special Appropriation, Installation, Alterations and Repairs, \$14,000, to the appropriation for Hospital Department, Sanatorium Division, C-7, Furniture and Furnishings, \$12,000; C-9, Office, \$200; C-12, Medical, Surgical, and Laboratory, \$600; C-13, Tools and Instruments, \$200; C-16, Wearing Apparel, \$800; E-13, Miscellaneous Materials, \$200.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Works Department, Special Appropriation, Bridges, Repairs, Etc., \$5,000, to the appropriation for Public Works Department, B-39, General Repairs, \$5,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Institutions Department, Long Island Hospital, B-39, General Repairs, \$2,000, to the appropriation for Institutions Department, Steamer "James Michael Curley," B-39, General Repairs, \$2,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Park Department, Special Appropriation, Park and Playground Improvements, Etc., \$1,200, to the appropriation for Park Department, D-9, Educational and Recreational, \$1,200.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Superior Court, Criminal Session, A-1, Permanent Employees, \$850, to the appropriation for Municipal Court, Charlestown District, A-2, Temporary Employees, \$850.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Superior Court, Criminal Session, A-1, Permanent Employees, \$3,000, to the appropriation for Probate Court, B-35, Fees, Service of Venires, Etc., \$3,000.

Severally referred to the Executive Committee.

SALE OF LAND IN FRANKLIN PARK TO WHITE FUND.

The following were received:

City of Boston,
Office of the Mayor, October 20, 1947.

To the City Council.

Gentlemen,—I transmit herewith an order for the purchase of approximately 14 acres of land in Franklin Park by the George Robert White Fund for the sum of \$20,000. I also transmit communications from the manager of the White Fund and the chairman of the Park Department relative to this sale of land.

On this parcel of land, when the transfer is consummated, will be constructed a stadium to be known as the George Robert White Fund Memorial Stadium. Plans are already being made for the construction of a stadium that will seat approximately 10,000 persons, and will have

facilities for the accommodation of four football teams at the same time. A cinder track will be built within the stadium, and other facilities provided for, to permit the holding of track events. The amount of land, 14 acres, will not have any serious effect on the general enjoyment of Franklin Park, which has five hundred and twenty-eight acres.

The trustees of the George Robert White Fund have voted to construct this athletic stadium at Franklin Park at an approximate cost of \$300,000. At the present time, there is no inclosed area in the city where schoolboy and other football games and athletic events may be held. Such a stadium is a crying need.

I recommend very strongly that your Body give prompt action on the inclosed order so that we may proceed with expedition to the building of the stadium.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,

Park Department, October 14, 1947.

To the Hon. Temporary Mayor and City Council.

Gentlemen,—The Board of Park Commissioners of the City of Boston are in receipt of a vote of the City of Boston—George Robert White Fund passed October 9, 1947, wherein the City of Boston—George Robert White Fund requests that the City of Boston transfer to it an area of approximately 14 acres of land situated in Franklin Park, near Walnut avenue and Seaver street, in the West Roxbury district, and offers to the City of Boston the sum of \$20,000 as the fair cash value of said land.

The City of Boston—George Robert White Fund has selected this parcel of land as a site for the establishment of a stadium by said fund.

The Board of Park Commissioners of the City of Boston at a meeting held on October 14, 1947, voted that this Board recommends that the request and offer of the City of Boston—George Robert White Fund be accepted and further recommends that the selected parcel of land be transferred to the City of Boston—George Robert White Fund for the sum of \$20,000, the fair cash value thereof.

Very truly yours,
BOARD OF PARK COMMISSIONERS,
JOHN J. MURPHY, Chairman.

City of Boston,

George Robert White Fund, October 10, 1947.

To the Hon. Temporary Mayor and City Council.

Gentlemen,—The City of Boston—George Robert White Fund acting by and through the trustees designated in the fourteenth clause of the will of George Robert White and having the control and management of said fund on October 9, 1947, passed the following vote:

"Voted, That for the purpose of the establishment of a stadium by the City of Boston—George Robert White Fund the trustees have selected a site containing approximately 14 acres of land situated in Franklin Park, near Walnut avenue and Seaver street, in the West Roxbury district."

The City of Boston—George Robert White Fund requests that the City of Boston transfer said land to the City of Boston—George Robert White Fund.

The City of Boston—George Robert White Fund offers to the City of Boston the sum of \$20,000 as the fair cash value of said land.

The Manager of the City of Boston—George Robert White Fund is directed to communicate this request and offer to the Temporary Mayor and City Council and to the Board of Park Commissioners of the City of Boston.

Very truly yours,
JAMES J. MCCARTHY, Manager.

Whereas, The City of Boston owns in fee Franklin Park, a public park in the West Roxbury district of the City of Boston, containing an area of approximately 23,000,000 square feet or 528 acres; and

Whereas, The City of Boston—George Robert White Fund has selected within Franklin Park an area of approximately 14 acres as a site for the establishment of a stadium by the George Robert White Fund and has requested that the said parcel of land be transferred by the City of Boston to the City of Boston—George Robert White Fund, and has offered to the City of Boston the sum of \$20,000 as the fair cash value of said land; and

Whereas, The Board of Park Commissioners of the City of Boston recommends that the request and offer of the City of Boston—George Robert White Fund be accepted and that the selected parcel of land be transferred by the City of Boston to the City of Boston—George Robert White Fund for the sum of \$20,000, the fair cash value of said land; now therefore it is hereby

Ordered, That his honor the Temporary Mayor of the City of Boston, he, and he hereby is, authorized, in the name and behalf of the City of Boston, to transfer to the City of Boston—George Robert White Fund by an instrument in writing satisfactory in form to the Law Department of the City of Boston a parcel of land within Franklin Park containing approximately 609,840 square feet or 14 acres for the purpose of the establishment of a stadium on said land by the George Robert White Fund and upon the consideration of the payment to the City of Boston by said Fund of the sum of \$20,000, the fair cash value of said land. The parcel of land to be transferred is shown on a plan marked "Plan Showing Land to be Transferred by City of Boston—Park Department to City of Boston—George Robert White Fund, City of Boston, Franklin Park, West Roxbury, October 16, 1947, Thomas F. McGovern, Chief Engineer, Street Laying-Out Department."

Referred to the Executive Committee.

PETITIONS REFERRED.

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

Claims.

Mrs. Andrew Carson, for compensation for injuries caused by an alleged defect in Evergreen Cemetery.

Roy W. Chase, to be reimbursed as result of accident which occurred while in performance of duty.

William J. Collins, to be reimbursed as result of accident which occurred while in performance of duty.

John A. Ellis, for compensation for damage to car by fire truck.

Andrew Gianakakis, for compensation for damage to truck by fire apparatus.

Rose Goodman, for compensation for injuries caused by an alleged defect at 1201-1206 Dorchester avenue.

Jemele Hashem, for compensation for injuries caused by an alleged defect at 697 Tremont street.

Herbert C. Holt, for compensation for injuries caused by an alleged defect at 34 and 36 Blagden street.

Jeane A. Hoppe, for compensation for damage to property at 2 Stevens street, caused by city building wreckers.

Maxwell Jaffe, for compensation for damage to car by city truck.

Rachel Kudish, for compensation for injuries caused by an alleged defect at 187 Harvard avenue, Allston.

G. D. Matthews, for compensation for damage to property at 1031 Washington street, caused by water flooding cellar.

Carl F. Mutti, for compensation for damage to car caused by an alleged defect at Rutherford avenue.

Susan Nicosia, for compensation for injuries caused by an alleged defect at 101 London street, East Boston.

David Norris, for compensation for damage to car caused by city truck.

Theodore & Sadie Petrycki, for compensation for damage to property caused by work done by Dooley Brothers.

Peter J. Rakanaskas, for compensation for damage to car and injuries caused by city truck.

Dora Rossman, for compensation for damage to property at 81 Willowood street, caused by water being shut off.

Andrew Schlehauer, for compensation for injuries caused by an alleged defect in Huntington avenue.

Sylvia Shriher, for compensation for damage to property at 20 and 22 Rochester street, caused by hedges on playground.

Hilda Sullivan, for compensation for injuries caused by an alleged defect at Bismarck street, Jamaica Plain.

Boleslaw S. Boc, for compensation for damage to car by fire apparatus.

Executive.

Petition of Mary E. Wyllie to be paid an annuity on account of death of husband, Richard J. Wyllie, late member of Fire Department

Committee on Licenses.

Petitions to operate bowling alleys on the Lord's Day:

Boston Recreation Company, Inc., John W. Shanley, Jr., 615 Washington street, Ward 3.

Bluc Hill Bowlaying, Samuel Epstein, 6 Livingstone street, Dorchester, Ward 14.

King Pin Alleys, Amos E. Cowan, 200 Huntington avenue, Ward 4.

Metropolitan Bowling Alleys, Jacob Koss, 35 Dore street, Ward 3.

Strand Recreation Room, Amos E. Cowan, 716 East Broadway, Ward 6.

20th Century Alleys, Louis Amusement Company, Inc., Louis L. Richmond, President, 1231 Hyde Park avenue, Ward 18.

APPOINTMENT OF JOSEPH K. COLLINS TO FINANCE COMMISSION.

Notice was received from the Secretary of the Commonwealth of appointment of Joseph K. Collins of Boston as member of the Finance Commission, and designation as Chairman.

Placed on file.

REPORT ON VOTING MACHINES PURCHASE.

The following was received:

City of Boston,
Finance Commission, October 14, 1947.

Hon. John B. Hynes,
Mayor of Boston.

Sir—The Finance Commission has inquired into the proposal of the Board of Election Commissioners to purchase a second lot of voting machines, and, having requested you to defer final action in this matter temporarily, now desires to express its views on the subject.

The Commission has conferred with the Election Commissioners and has obtained from them directly their reasoning in the matter. It appears that the decision to purchase another number of machines was made in January, 1947, at a meeting of the Election Commissioners and Mayor Curley. Subsequently, in March, 1947, the Finance Commission communicated with the City Council on this subject pointing out that in the event of the adoption of a Plan E charter with preferential voting, voting machines could not be used in municipal elections. The Plan E movement has every indication of remaining a live issue in Boston for several years.

It now gives this additional reason for opposing any such purchase. This is no time to indulge in expensive innovations. The proposed purchase of voting machines would cost approximately \$650,000. Election functions have been carried on for many years without voting machines, and no great harm can come from deferring further installations.

The 1947 tax rate reached an all-time high. An increase in the tax rate is generally expected for 1948. Most municipal administrators realize that basic costs of government will increase substantially in the next few years. Therefore, it is no time for the city to buy more voting machines when there is no immediate and pressing necessity.

Respectfully submitted,
JOSEPH K. COLLINS, Chairman,
ALEXANDER WHEELER,
LEO J. DUNN,
FREDERICK DEANE,
EDWARD F. MULLEN,
The Finance Commission.

ROBERT E. CUNNIFF,
Secretary.

Placed on file.

NOTICE OF HEARINGS BEFORE PUBLIC UTILITIES DEPARTMENT.

Notice was received from the Public Utilities Department of hearing to be given October 27 at 10.30 a. m. on petition of George A. Myhaver,

doing business as Granite Stages, for certificate of public convenience and necessity for operation of motor vehicles between Ashby and Boston.

Notice was received from the Department of Public Utilities of hearing held September 23, 1947, on propriety of rates and charges of Dedham and Hyde Park Gas Company, and of further public hearing to be held October 28 at 10.30 a. m.

Severally placed on file.

APPROVAL BY STATE BOARD OF HOUSING OF EXPENDITURE ON MATTAPAN PROJECT.

Notice was received from the State Board of Housing of passage of resolution approving the expenditure by the Boston Housing Authority of \$17,453.99 for rock excavation during month of August, 1947, on Mattapan Development (Liver-side No. 2).

Placed on file.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointments (referred October '6) of Augustine J. Fay, William F. O'Connor, Francis Hayes, John P. Corbett, Herman F. Schramm, Milton Keleislick, to be Weighers of Goods — recommending that appointments be confirmed.

The report was accepted, and the question came on confirmation. Committee, Councilors Coffey and Hannon. Whole number of ballots 13, yeas 13, nays 0, and the appointments were confirmed.

STADIUM FOR EAST BOSTON.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor be requested to provide sufficient funds for the construction of a stadium in East Boston in conjunction with the State Authorities Construction Program of recreational facilities in East Boston.

Passed under suspension of the rules.

MARTHA RAYE SHOW, LATIN QUARTER.

Coun. SCANNELL offered the following:

Ordered, That the Boston Licensing Board be requested, through his Honor the Mayor, to either ban or clean up the Martha Raye show at the Latin Quarter.

Passed under suspension of the rules.

SALARIES OF MEMBERS OF BOARD OF APPEAL.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor direct the Corporation Counsel to prepare legislation for the 1948 Legislature which will grant to the members of the Board of Appeal of the Building Department of the City of Boston a proper salary.

Passed under suspension of the rules.

PUBLICATION OF UP-TO-DATE STREET BOOKS.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor direct the Superintendent of Printing and the Board of Street Commissioners to publish 1,000 up-to-date street books.

Passed under suspension of the rules.

STANDARDIZATION OF SICK LEAVES GRANTED EMPLOYEES.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor appoint a committee consisting of department heads and city employees to formulate and standardize the sick leave to be granted various employees.

Passed under suspension of the rules.

UNIFORMS FOR EMPLOYEES OF MAINTENANCE DIVISION, FIRE DEPARTMENT.

Coun. HANNON, MORIARTY and MADDEN offered the following:

Ordered, That his Honor the Mayor direct the Fire Commissioner to equip with uniforms the employees of the Maintenance Division of the Boston Fire Department.

Passed under suspension of the rules.

SURVEY OF CERTAIN VACANT PROPERTIES IN CITY.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor be requested to appoint a committee to make a survey of properties in the city now vacant which could be salvaged and reclaimed and that proper action might be taken to make them tenable in order to provide housing for needy tenants.

Passed under suspension of the rules.

HAND-OPERATED LIGHT, OLD COLONY AVENUE AND COLUMBIA CIRCLE.

Coun. HANNON and LINEHAN offered the following:

Ordered, That his Honor the Mayor communicate with the Metropolitan District Commission relative to the establishment of a hand-operated traffic light at Old Colony avenue and Columbia Circle.

Passed under suspension of the rules.

EXEMPTION FROM TAXATION OF CERTAIN PENSIONS.

Coun. MADDEN offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to draft a bill for presentation to the next Legislature, providing for the exemption from taxation of all pensions received by retired city employees and others.

Passed under suspension of the rules.

SURVEY OF UNUSED STATE-OWNED LAND.

Coun. LINEHAN offered the following:

Ordered, That his Honor the Mayor request the Corporation Counsel to prepare a bill to be presented to the 1948 State Legislature, which will provide for a survey of all unused state-owned land for the purposes of transferring or conveying at small consideration to the different cities and towns those parcels which could be used for constructing veterans' housing under chapter 372 of the Acts of 1946 as amended.

Passed under suspension of the rules.

PRICE OF MILK.

Coun. RUSSO offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to attend a hearing to be held at the Federal Building, October 22, 1947, of a Committee of the U. S. Department of Agriculture on the prices of milk, and to protest the present high prices and ask for a fairer price schedule to reduce this basic commodity to the people of Boston.

Passed under suspension of the rules.

RESOLUTIONS PROTESTING INCREASE IN MILK PRICES.

Coun. RUSSO offered the following:

Whereas, Milk is a vital food especially for growing children; and

Whereas, The families dependent upon low or medium income use milk as a basis of the family diet; and

Whereas, The cost of living is continuing to increase so that undernourishment is beginning to creep into many homes in Boston; therefore he it

Resolved, That the Boston City Council is firmly opposed to an increased cost of milk and heartily endorses every effort being made to hold down milk prices and furthermore gives its sincere thanks to all restaurants and all retail stores and dealers that are aiding the consuming public by attempting to prevent an increase in price; and be it further

Resolved, That a copy of this Resolution be sent to the Committee of the Department of Agriculture, which is holding a meeting at the Federal Building in Boston before October 22, 1947.

Passed under suspension of the rules.

DEATH OF DANIEL J. HARKINS.

Coun. BRYAN and BAYLEY offered the following:

Whereas, The Boston City Council has just learned with deep regret of the sudden death of Daniel J. Harkins, who, for many years, served as curator of the Franklin Park Zoo; and

Whereas, Through his untiring efforts, he has given many hours of pleasure to thousands of school children and adults who annually visited the zoo; therefore be it

Resolved, That the Boston City Council, in meeting assembled, hereby extends its sincere sympathy and condolence to his beloved wife, Mrs. Loretta A. Harkins, in her hour of sorrow.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of Edmund Currie (referred September 29) 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:

Ordered, That the sum of one hundred eleven dollars and eighty cents (\$111.80) 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 truck belonging to the Sanitary Division, Public Works Department, said sum to be charged to the Contingent Fund.

Report on petition of William D. Hackett (referred September 29) to be reimbursed for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to Police Department—recommending passage of accompanying order:

Ordered, That the sum of two hundred twenty-five dollars (\$225) be allowed and paid to William D. Hackett 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.

Reports accepted; said orders severally passed.

"STOP" SIGN AT WINSHIP AND UNION STREETS.

Coun. LANE and MADDEN offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install "Stop" signs at the hazardous and exposed intersection of Winship and Union streets, bordering Wards 21 and 22.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY CHAIRMAN, EXECUTIVE COMMITTEE.

President KELLY announced the appointment of Councilor Russo to serve as temporary chairman of the Executive Committee.

On motion of Councilor Bayley, the Council voted at 3.03 p. m. to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 4.20 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred October 6) for transfer of \$9,000 from Special Appropriation, Park and Playground Improvements, Etc., to A-2, Temporary Employees, Park Department—that same ought to pass.

Report on message of Mayor and orders (referred today) for transfers of appropriations—that same ought to pass.

The reports were accepted, and the orders were severally passed, yeas 12, nays 0:

Yeas—Councilors Carey, Chase, Hannon, Hurley, Keenan, Kelly, Kinsella, McCormack, Moriarty, Russo, Scannell, Sullivan—12.

Nays—0.

2. Report on message of Mayor and order (referred today) for purchase of approximately 14 acres of land in Franklin Park by George Robert White Fund for sum of \$20,000—that same ought to pass.

The report was accepted, and the question came on the passage of the order. On motion of Councilor Keenan the matter was laid on the table for a week.

FULL-TIME ATTENDANCE OF DOCTOR, HOUSE OF CORRECTION.

Coun. McCORMACK offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of having a doctor on duty twenty-four hours each day at the Deer Island House of Correction.

Passed under suspension of the rules.

ACQUISITION OF JACKSON PARK, BRIGHTON.

Coun. MADDEN offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to submit a progress report to the City Council relative to the acquisition of Jackson park on Commonwealth avenue, Brighton.

Passed under suspension of the rules.

TRAFFIC SIGNALS IN WARD 22.

Coun. MADDEN offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to include in next year's budget sufficient funds to install automatic traffic signals at the following locations in Ward 22:

Parsons and Arlington streets; Chestnut Hill avenue and Chiswick road; Lincoln and Franklin streets.

Passed under suspension of the rules.

Adjourned, on motion of Councilor Hannon, at 4.31 p. m., to meet on Monday, October 27, 1947, at 2 p. m.

Note.—All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.
(Stenographic copy of such debate on file in office of City Clerk.)

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

Thursday, October 23, 1947.

A special meeting of the City Council of the City of Boston was called by the Assistant City Clerk for Thursday, October 23, 1947, at one o'clock p. m.

The call for the meeting was as follows:

City of Boston,

Office of the City Clerk, October 22, 1947.

A special meeting of the City Council will be held in its Chamber, City Hall, on Thursday, October 23, 1947, at one o'clock p. m.

By order of the Court,

W. J. MALLOY,
Assistant City Clerk.

Subject: To Draw Jurors.

President KELLY called the Council to order at one o'clock p. m., and the roll was called by the Assistant City Clerk, to ascertain the presence of a quorum, with the following result:

Present—Councilors Bryan, Hurley, Kelly, Linehan, Moriarty, Russo, Scannell—7.

Less than a quorum being present, the Council stood adjourned at one o'clock and forty minutes p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 27, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY presiding. Absent, Councilors Cantwell, Cook and Fish.

The meeting was opened with the salute to the Flag.

JURORS DRAWN.

Jurors were drawn, Councilor Bryan presiding at the box, in the absence of the Mayor, viz.:

One hundred twenty-five additional traverse jurors, Superior Criminal Court, to appear November 12, 1947:

Mitchell L. Golden, Ward 1; James E. Goulland, Ward 1; John D. Muise, Ward 1; John Penta, Ward 1; Angelo Rizzo, Ward 1; Thomas J. Belmonte, Jr., Ward 2; Edward J. Coyne, Ward 2; Francis J. Poor, Ward 2; Joseph L. Ryan, Ward 2; Anthony Fuccillo, Ward 3; Joseph Ingeme, Ward 3; Joseph Sidney Kurtzer, Ward 3; Francis A. Newcomb, Ward 3; John J. Crowley, Ward 4; Robert D. Herbert, Ward 4; Clyde M. Jones, Ward 4; Edward Koennecke, Ward 4; John H. Wildes, Ward 4; Michael D. Massarelli, Ward 5; George F. McGunnigle, Ward 5; Michael J. Bizokas, Ward 6; Charles C. Crowley, Ward 6; William H. McWhick, Ward 6; Joseph F. Novak, Ward 6; Elmer L. Stevens, Ward 6; John J. Sullivan, Ward 6; Henry Carigan, Ward 7; Earl G. Fay, Ward 7; James P. Murphy, Ward 7; George L. MacLean, Ward 8; Thomas J. Morehouse, Ward 8; Charles K. Morse, Ward 8; Michael H. Rose, Ward 8; Harold E. Whitney, Ward 8; Louis Friedman, Ward 9; Daniel T. Bermingham, Ward 10; John Ferguson, Ward 10; John J. Morrissey, Ward 10; Thomas J. Underwood, Ward 10; Joseph W. Cohen, Ward 12; Jacob L. Goldstein, Ward 12; Abbott L. Lee, Ward 12; Frederick R. Miller, Ward 12.

William J. Bryan, Ward 13; Louis A. Clark, Ward 13; Francis K. Hannon, Ward 13; John T. Hannon, Jr., Ward 13; Sidney Katz, Ward 13; John Kutasz, Ward 13; Joseph J. Mikenas, Ward 13; John J. Walsb, Ward 13; Arnold R. Zetterlund, Ward 13; Henry Ziemba, Ward 13; Bernard J. Aymes, Ward 14; Bernard D. Baker, Ward 14; Carl L. Bishop, Ward 14; Pbilmore Blond, Ward 14; Jacob Guzovsky, Ward 14; John C. Hardy, Ward 14; George J. Jackson, Ward 14; Robert C. Johnson, Ward 14; Jack Miller, Ward 14; Hyman Price, Ward 14; Arthur L. Rubin, Ward 14; Morris Sadoff, Ward 14; Louis J. Speyer, Ward 14; George Turin, Ward 14; William Gallo, Ward 15; Albert L. Harland, Ward 15; Manual J. Peters, Ward 15; Carroll R. Putnam, Ward 15; George E. Slattery, Ward 15; John W. Wall, Ward 15; William C. Woods, Ward 15; Lewis W. Colter, Ward 16; Leo F. Donahue, Ward 16; John P. Dunphy, Ward 16; Timothy Keane, Ward 16; Payson S. Beers, Ward 17; James E. Byrne, Ward 17; Patrick Cooper, Ward 17; John W. Dale, Ward 17; Frank Doolin, Ward 17; Samuel M. Kennedy, Ward 17; John J. Moran, Ward 17; Matthew J. Mortell, Ward 17; Fred W. Robinson, Ward 17; Arthur F. Tobin, Ward 17; Arthur C. Wallace, Ward 17; Samuel Wark, Ward 17; Frederick A. Clark, Ward 18; Herman J. Gamaecke, Ward 18; Frank Grassia, Ward 18; John F. Kelley, Ward 18; Harry T. Krim, Ward 18; William J. Manning, Ward 18; Harold Peterson, Ward 18; Anthony Polito, Ward 18; Emmett R. Smith, Jr., Ward 18; Frederick W. Tripp, Ward 18; Joseph E. Backoff, Ward 19; Edward R. Goodearl, Ward 19; Thomas J. Horan, Ward 19; William J. McCarthy, Ward 19; Harold Williams, Ward 19; John A. Brennan, Ward 20; James A. Cronin, Ward 20; Albert F. Fitzpatrick, Ward 20; Andrew G. Hardy, Ward 20; John E. Jacobson, Ward 20; Joseph P. McLaughlin, Ward 20; Arthur E. Nicholson, Ward 20; James V. Nolan, Ward 20; John G. Walther, Ward 20; Robert J. Barrus, Ward 21; Hyman Blume, Ward 21; Edward Brown, Ward 21; Thomas J. Connor, Ward 21; Nathan Davidson, Ward 21; Gustavus E. Foster,

Ward 21; L. Gordon Glazier, Ward 21; Jacob Kostick, Ward 21; Louis Levine, Ward 21; Edwin L. Newman, Ward 21; Harry A. Stearns, Ward 22.

APPOINTMENT BY THE MAYOR.

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

Weigher of Goods, for term ending April 30, 1948, Alfred N. Foley, 50 Princeton road, Arlington, Mass.

Referred to the Committee on Constables and Confirmations.

FULL-TIME ATTENDANCE OF DOCTOR, HOUSE OF CORRECTION.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Penal Institutions relative to your order of October 20, 1947, concerning the advisability of having a doctor on duty twenty-four hours each day at the Deer Island House of Correction.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Penal Institutions Department,
October 24, 1947.

Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,—In answer to your communication dated October 22, 1947, regarding City Council order dated October 20, 1947, may I invite the Mayor's attention to the fact that the writer, with his staff, Dr. George H. Schwartz and Major George F. A. Mulecaby, Master, have given consideration to the context of the order and have come to the following conclusions:

In 1945 we housed an average of 450 inmates at the House of Correction, Deer Island. Today the count is approximately 600. The majority of drunk cases are being sent to the Charles Street Jail, by agreement between the Municipal Courts and the commissioner; but just as soon as we open up our additional prison (which we are now in the process of renovating) the courts will start sending us these additional drunk cases, as Charles Street Jail now is overcrowded. Our count will then be over 800.

With these facts in mind, we have come to the conclusion that for the safety and health of these inmates it is necessary that we have a resident physician on duty twenty-four hours a day at the House of Correction, Deer Island, together with one hospital supervisor and two male nurses. This will provide proper coverage seven days per week.

Very truly yours,
MAXWELL B. GROSSMAN,
Penal Institutions Commissioner.

Placed on file.

"CHILDREN—SLOW DOWN" SIGN, WARD 3.

The following was received:

City of Boston,
Office of the Mayor, October 22, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of September 29, 1947, concerning the advisability of installing a sign reading, "Children—Slow Down" at the intersection of North street and North square, Ward 3.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Traffic Commission, October 17, 1947.
John B. Hynes,
Mayor of Boston.

Dear Sir,—This is to acknowledge receipt of the following Council order:
"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to con-

sider the advisability of installing a sign reading "Children—Slow Down" at the intersection of North street and North square, Ward 3."

Please be advised that orders have been issued to erect the signs requested.

Respectfully submitted,

LEO F. CURLEY, Commissioner.

Placed on file.

**"STOP" SIGNS, PRINCE STREET,
WARD 3.**

The following was received:

City of Boston,

Office of the Mayor, October 22, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of September 29, 1947, concerning the advisability of installing "Stop" signs at the Prince Street Playground on Prince street, Ward 3.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,

Traffic Commission, October 17, 1947.

John B. Hynes,

Mayor of Boston.

Dear Sir,—This is in response to the following Council order:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to consider the advisability of installing "Stop" signs at the Prince Street Playground on Prince street, Ward 3."

Please be advised that orders have been issued to erect the signs requested.

Respectfully submitted,

LEO F. CURLEY, Commissioner.

Placed on file.

SPOTLIGHTS, WARD 10.

The following was received:

City of Boston,

Office of the Mayor, October 22, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of October 6, 1947, concerning the installation of spotlights in front of the Mission Church and at Brigham Circle, in Ward 10, to aid police officers in the directing of traffic.

Respectfully yours,

J. B. Hynes,
Temporary Mayor.

City of Boston,

Traffic Commission, October 20, 1947.

John B. Hynes,

Mayor of Boston.

Dear Sir,—This is to acknowledge receipt of the following Council order:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to arrange for the installation of spotlights in front of the Mission Church and at Brigham Circle, in Ward 10, to aid police officers in the directing of traffic."

The following is the report of our engineer:

"The matter of erecting a spotlight in Tremont street in front of the Mission Church has been taken up and studied on several occasions and it was the opinion of the police and the engineers of the Traffic Commission that better street lighting would best serve both the police and the pedestrians at the Mission Church. The Public Works Department erected additional street lights in this area and it is my opinion that they amply serve the needs of this area.

"The intersection at Brigham Circle will be signalized within the next few months. I do not believe that we should spend the money to erect a spotlight pole when this place will be adequately taken care of with the traffic signals when they are installed."

Respectfully submitted,

LEO F. CURLEY, Commissioner.

Placed on file.

**HEAVY TRUCKING, HEMENWAY STREET,
WARD 4.**

The following was received:

City of Boston,

Office of the Mayor, October 27, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the Police Commissioner relative to your order dated October 6, 1947, concerning the assignment of police officers to enforce the traffic regulations forbidding heavy trucking on Hemenway street, Ward 4.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,

Police Department, October 24, 1947.

Hon. John B. Hynes,

Temporary Mayor of Boston.

Dear Mayor Hynes,—I return herewith order of the City Council dated October 6, 1947, as follows:

"Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to arrange for the assignment of police officers to enforce the traffic regulations forbidding heavy trucking on Hemenway street, Ward 4.

In City Council October 6, 1947. Passed.

Attest:

W. J. MALLOY,
Assistant City Clerk."

Police officers in that area have been specifically directed to enforce the traffic regulation prohibiting heavy trucking on this street and a motorcycle officer has been directed to patrol the street intermittently.

Respectfully yours,

THOMAS F. SULLIVAN,
Police Commissioner.

Placed on file.

**PEDESTRIAN LIGHT, OLD COLONY PARK-
WAY AND OLD COLONY AVENUE.**

The following was received:

City of Boston,

Office of the Mayor, October 24, 1947.

To the City Council.

Gentlemen,—I transmit herewith communication from the chairman of the Metropolitan District Commission relative to the order recently passed by your Honorable Body concerning the installation of a pedestrian light at Old Colony Parkway and Old Colony avenue.

Respectfully,

J. B. HYNES,
Temporary Mayor.

The Commonwealth of Massachusetts,
Metropolitan District Commission,
October 23, 1947.

Hon. John B. Hynes,

Temporary Mayor.

Dear Mr. Mayor,—Receipt is acknowledged of your letter of October 22 with the accompanying copy of an order of your Honorable City Council asking that a pedestrian installation of traffic lights be placed at Old Colony Parkway and Old Colony avenue.

The commission, at its meeting today, awarded a contract for this installation, and I will urge our engineer to get the work done at the earliest possible date.

Very truly yours,

WILLIAM T. MORRISSEY, Commissioner.

Placed on file.

**APPROPRIATION FROM PARKMAN FUND
INCOME.**

The following was received:

City of Boston,

Office of the Mayor, October 27, 1947.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners requesting the appropriation of \$23,000 from the income of the George F. Parkman Fund, to be expended under the direction of the Board of Park Commissioners, for the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887.

The 1947 budget estimates of the personal service requirements of the Park Department included an estimate of the total income of \$180,000 from the Parkman Fund. The budget allowances made provision for the appropriation of this income as it accrued for the purpose of defraying the cost of work actually performed on the Common and Parks in Existence on January 12, 1887.

I submit herewith an order appropriating the sum of \$23,000, the accrued income now available from the Parkman Fund, and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,

Park Department, October 22, 1947.

Hon. John B. Hynes,
Temporary 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 \$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 1947, 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 1947, to be transferred as it accrued from time to time during the year to the regular maintenance appropriation of the Park Department.

Very respectfully yours,
JOHN J. MURPHY, 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 Committee on Parkman Fund.

TRANSFERS OF APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, October 27, 1947.
To the City Council.

Gentlemen,—The inclosed requests for transfers of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Hospital Department, Sanatorium Division, A-1, Permanent Employees, \$15,000, to the appropriation for Hospital Department, C-12, Medical, Surgical, Laboratory, \$15,000.

From the appropriation for Public Works Department, Sanitary Service, A-1, Permanent Employees, \$25,000, to the appropriation for Hospital Department, D-5, Medical, Surgical, Laboratory, \$25,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Public Celebrations, \$1,500, to the appropriation for Park Department, D-9, Educational and Recreational, \$1,500.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Welfare Department, Central Office, A-1, Permanent Employees, \$2,945, to the appropriation for Public Welfare Department, Temporary Home, B-13, Communication, \$10; B-18, Cleaning, \$100; C-7, Furniture and Furnishings, \$1,000; D-2, Food and Ice, \$1,500; D-5, Medical, Surgical, Laboratory, \$200; D-8, Laundry, Cleaning, Toilet, \$100; D-13, Chemicals and Disinfectants, \$25; D-16, Miscellaneous Supplies, \$10.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Welfare Department, Central Office, A-1, Permanent Employees, \$2,050, to the appropriation for Public Welfare Department, Wayfarers' Lodge, B-8, Light, Heat and Power, \$100; C-13, Tools and Instruments, \$50; C-16, Wearing Apparel, \$800; D-2, Food and Ice, \$800; D-3, Laundry, Cleaning, Toilet, \$200; D-13, Chemicals and Disinfectants, \$100.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Works Department, Paving Service, A-1, Permanent Employees, \$7,500, to the appropriation for Special Appropriation, Reconstruction of Streets, \$7,500.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Works Department, Paving Service, A-1, Permanent Employees, \$6,000, to the appropriation for Special Appropriation, Sidewalks, Construction and Reconstruction of, \$6,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Department of Veterans' Services, B-37, Photographic and Blueprinting, \$30,000, to the appropriation for Penal Institutions Department, House of Correction, D-2, Food and Ice, \$30,000.

Referred to the Executive Committee.

APPROPRIATION FOR RENT AND HOUSING COMMITTEE.

The following was received:

City of Boston,
Office of the Mayor, October 27, 1947.
To the City Council.

Gentlemen,—At the request of His Excellency, the Governor, I have set up a Rent and Housing Committee to investigate evictions occurring throughout the City of Boston, as well as to assist families so affected to secure lodging or other shelter. In all probability the expenses of this committee will not exceed \$2,000 during the balance of the current year.

I submit herewith an order authorizing such expenditure from the Contingent Fund, and recommend consideration and adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That the sum of two thousand dollars (\$2,000) be, and the same hereby is, appropriated, to be expended under the direction of his Honor the Mayor by the Rent and Housing Committee, said sum to be charged to the Contingent Fund.

Referred to the Executive Committee.

APPROPRIATION FOR PRINTING DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, October 27, 1947.

To the City Council.

Gentlemen,—I am in receipt of the attached request from the Superintendent of Printing for an additional appropriation of \$10,000 necessary to provide sufficient funds for the purchase of postage for the balance of the year.

In compliance with this request, there is forwarded herewith an order providing for the appropriation of \$10,000 from the income of the Printing Department, and I recommend consideration and adoption of this order by your Honorable Body.

Respectfully,

J. B. HYNES,
Temporary Mayor.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1947, an additional sum of ten thousand dollars (\$10,000) be, and the same hereby is, appropriated from the income of the Printing Department, for the following purpose:

SPECIAL APPROPRIATION.

Departmental Stationery and Postage . . . \$10,000
Referred to the Executive Committee.

PETITIONS REFERRED.

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

Claims.

Donald C. Colbath, for compensation for damage to car by car of Park Department.

John C. Cullen, for compensation for loss of clothing at Boston City Hospital.

Carl DeFranco, for compensation for loss of false teeth at Boston City Hospital.

Sven Johnson, for compensation for damage to property at 126 Armandine street, caused by sand blown on house.

Jeannette McKenzie, for compensation for injuries caused by an alleged defect in Poplar street.

Newbrandt's 5c and Up, for compensation for damage to property at 216 Belgrade avenue, caused by workmen of Sewer Division.

Smith Brothers Garage, Inc., for compensation for damage to car by city car.

Maggie Stanton, for compensation for injuries caused by an alleged defect at 46 East Springfield street.

U. S. Army, for refund on ferry tickets.

Executive.

Petition of Margaret M. Sullivan, to be paid annuity on account of death of husband, Daniel J. Sullivan, late member of the Fire Department.

Petition of Ellen A. Wall, to be paid annuity on account of death of her husband, James A. Wall, late member of the Fire Department.

PERMITS FOR CHILDREN.

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

Tributary Children's Theatre, New England Mutual Hall, November 1, 8, and 15.

Permit granted under usual conditions.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment (referred October 20) of Andrew Martin, to be Constable, for term ending April 30, 1948, authorized to serve civil process upon filing of bond—recommending that appointment be confirmed.

Report on appointment (referred October 20) of George J. Hamilton, Jr., to be Weigher of Coal, for term ending April 30, 1948—recommending that appointment be confirmed.

The reports were accepted, and the question came on confirmation. Committee, Councilors Madden and Linehan. Whole number of ballots 14, yeas 14, and the appointments were confirmed.

ORDINANCE RE LICENSING OF AUTOMATIC AMUSEMENT DEVICES.

President KELLY announced the following, on the Calendar, would be in effect after November 2, 1947, unless acted upon by the Council, viz.:

Sixty-Day Orders.

The following orders, recommended by the Mayor for passage by the City Council, become effective after the date specified unless previously adopted, rejected, or withdrawn, viz.:

In Effect after November 2, 1947.

Ordinance covering the licensing of automatic amusement devices.

Filed September 3, 1947. Referred to the Committee on Ordinances, September 3, 1947.

Coun. KINSELLA moved that the ordinance be taken from the Committee on Ordinances and referred to the Executive Committee. Later, Councilor KinSELLA withdrew the part of his motion in which he asked reference to the Executive Committee.

The roll was called, and the motion to take the ordinance from the Committee on Ordinances was carried, yeas 17, nays 0:

Yeas—Councilors Bryan, Carey, Chase, Coffey, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—17.

Nays—0.

On motion of Councilor Hannon the ordinance was referred to the Executive Committee.

Coun. SULLIVAN in the chair.

Chairman SULLIVAN appointed Councilors Hannon, Lane, Coffey and Hurley a committee to confer with the Mayor on amending the ordinance.

SALE OF LAND IN FRANKLIN PARK TO GEORGE ROBERT WHITE FUND.

On motion of Councilor Moriarty the Council voted to take No. 1 from the table.

No. 1 on the Calendar was as follows:

1. Order for sale of land in Franklin Park to George Robert White Fund for \$20,000.

The question came on giving the order its first reading and passage, and the order was passed, yeas 19, nays 0:

Yeas—Councilors Bayley, Bryan, Carey, Chase, Coffey, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, Madden, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—19.

Nays—0.

The order will take its second reading and passage in not less than 14 days.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Petitions to operate bowling alleys on the Lord's Day (referred October 6), viz.:

Allston Bowladrome, Abraham Feingold, 160 Brighton avenue, Allston.

Arborway Bowlaway, Edward H. Margolis, 1 Boynton street, Jamaica Plain.

Arlington Square Bowling Alleys, Kenneth Y. MacDonald, 392 Tremont street.

Boston Daylight Alleys, Antonio Botta, 107 Cambridge street.

Columbia Billiard Company Alleys, Nicholas J. Poulakis, 558 Columbia road, Dorchester.

Commonwealth Recreation Bowling Alleys, Joseph Grant, 1105 Commonwealth avenue, Brighton.

The Congress Billiard and Bowling Supply Company, Clement J. Dore, 1505 Veterans of Foreign Wars Parkway, West Roxbury.

Charles R. Conley, 184 Dudley street, Roxbury.

Eagle Bowling Alleys, Joseph Grant, 2235 Washington street, Roxbury.

Egleston Bowlway, Iorio Bowling Alleys Company, Inc., Arthur Iorio, 3182-3188 Washington street, Jamaica Plain.

Fields Corner Daylight Alleys, Inc., Joseph Bonigli, 289 Adams street, Dorchester.

German Educational Society, August Berkes, 194 Heath street, Roxbury.

German Workingmen's Association, Ernst Seemuller, 22 Amory avenue, Roxbury.

Glenville Bowling Alleys, Nettie L. Lutfy, 2 Glenville terrace, Allston.

Granville Club, Inc., George H. Pfeiffer, president, 15 Granville street, Roslindale.

Huh Bowling Alley, Marie Kittrell, 216 Hanover street.

Huntington Alleys of Boston, Edward H. Margolis, 255 Huntington avenue.

Hyde Square Bowlway, Iorio Bowling Alleys Company, Inc., Arthur Iorio, 403 Centre street, Jamaica Plain.

Jamaica Bowlway, Iorio Bowling Alleys Company, Inc., Arthur Iorio, 702A Centre street, Jamaica Plain.

Margaret M. Johns, 1453 Dorchester avenue, Dorchester.

Kenmore Recreation, Inc., Tobias Wolbarst, 68 Lansdowne street.

Lee S. King, 466-468C Blue Hill avenue, Dorchester.

Mattapan Bowladrome, Samuel Orren, 1348 Blue Hill avenue, Mattapan.

Maverick Garden Bowladrome, Frank Magaletta, 2 Maverick square, East Boston.

McCarthy Brothers Bowling, John J. McCarthy, 761 Huntington avenue, Roxbury.

Alvaro Mezzetti, hasement, South Station, Atlantic avenue.

Miah J. Murray, Inc., John F. Ierardi, president, 1156 Washington street.

Mount Pleasant Bowling and Billiards, John F. McLaughlin, 590 Dudley street, Dorchester.

New Egyptian Alleys, Waldo C. Nardella, 345 Washington street, Brighton.

North Station Bowling Alleys, Gene DeMarco, 222½ Friend street.

Orient Palace Bowlway, Thomas A. Sweeney, 983 Bennington street, East Boston.

Dominick Rubbico, 4264 Washington street, Roslindale.

Pasquale Rubbico, 448 West Broadway, South Boston.

Samuel Selitt, 126 and 128 Summer street.

South Station Bowling Alleys, Joseph Grant, 669 Atlantic avenue.

Strand Daylight Bowling Alleys, Ulysses L. Ingraham, 543 Columbia road, Dorchester.

Wehster Bowling Alleys, Joseph Grant, 26 Taber street, Roxbury.

West Roxbury Liederkrantz, Lee M. Jekowski, 46 Rockland street, West Roxbury.

Petitions to operate bowling alleys on the Lord's Day (referred October 20), viz.:

Blue Hill Bowlway, Samuel Epstein, 6 Livingstone street, Dorchester.

Boston Recreation Company, Inc., John W. Shanley, Jr., president, 615 Washington street, Boston.

King Pin Alleys, Amos E. Cowan, 200 Huntington avenue.

Metropolitan Bowling Alleys, Jacob Koss, 35 Dore street, Ward 3.

Strand Recreation Room, Amos E. Cowan, 716 East Broadway, South Boston.

Twentieth Century Alleys, Louis Amusement Company, Inc., Louis L. Richmond, president, 1231 Hyde Park avenue, Hyde Park — recommending that licenses be granted, under usual conditions.

Report accepted; said licenses granted under usual conditions.

CUT IN OLD AGE ASSISTANCE RATES.

Coun. COFFEY offered the following:
Ordered, That his Honor the Mayor immediately confer with his Excellency the Governor in an

attempt to prevent any cut in the present Old Age Assistance rates.

Passed under suspension of the rules.

THE NEXT MEETING.

On motion of Councilor Carey the Council voted that when it adjourn it be to meet on Monday, November 10, 1947, at 2 p. m.

FOOTBALL GAMES OF SOUTH BOSTON HIGH SCHOOL AT COLUMBUS STADIUM.

Coun. SCANNELL offered the following:

Ordered, That the Director of Physical Education of the School Department and the Park Commission be requested to get together for the purpose of arranging for the South Boston High School football team to play some of its future games at Columbus Stadium.

Passed under suspension of the rules.

EXPEDITING WORK ON SUMMER STREET.

Coun. SCANNELL offered the following:

Ordered, That the Metropolitan Transit Authority and the Commissioner of Public Works be requested, through his Honor the Mayor, to make immediate arrangements to keep their crews at work 24 hours a day on Summer street, near the South Station, in order to expedite the renovation of street car tracks and the reconstruction of the street so that the people in the South Boston section will not be delayed while going to and coming from their employment.

Passed under suspension of the rules.

REIMBURSEMENT FOR CONTRIBUTIONS FOR LOW-INCOME HOUSING DEVELOPMENTS.

Coun. LINEHAN and SCANNELL offered the following:

Whereas, It is possible for cities and towns to make a contribution towards the construction of low-income housing developments where the sites have already been taken for such purpose, such as the Cathedral and South Boston sites; and

Whereas, It is possible that the City of Boston will contribute up to \$7,000,000 towards the construction costs of both the Cathedral and South Boston low-income housing developments; therefore he it

Resolved, That the City Council and Mayor of Boston go on record in favor of Congressional action in the coming session of Congress relative to reimbursing all cities and towns that contribute, grant or lend money to the Federal Housing authorities to help construct low-income housing developments under the so-called McCarthy Act, which was passed in Congress during the last session; and he it further

Resolved, That Congressman John W. McCormack be respectfully requested to file such an order in the coming session of Congress.

Passed under suspension of the rules.

RETENTION OF PRESENT SCHEDULE, MORTON STREET BUS LINE.

Coun. KEENAN offered the following:

Ordered, That the Metropolitan Transit Authority be requested, through his Honor the Mayor, to cancel the 15-minute schedule which they are planning to put into effect on the Morton Street bus line on December first and to continue the present 10-minute service on this line.

Passed under suspension of the rules.

REQUESTED BANNING OF MOTION PICTURE "FOREVER AMBER."

Coun. KEENAN offered the following:

Ordered, That the Licensing Division of the Mayor's Office be requested to ban the showing of the motion picture "Forever Amber" in Boston.

Passed under suspension of the rules.

DRAPING OF CITY HALL IN MEMORY OF
WAR DEAD.

Coun. CAREY offered the following:
Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to drape City Hall for a period of 30 days out of respect to the memory of our war heroes whose remains are being returned to their loved ones.

Passed under suspension of the rules.

STAIRWAY, JOINSWOOD ROAD-SHER-
WOOD STREET, WARD 19.

Coun. McCORMACK offered the following:
Ordered, That his Honor the Mayor be requested to instruct the Public Works Commissioner to install a new stairway from Joinswood road to Sherwood street, Ward 19.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON PARKMAN
FUND.

Coun. LANE, for the Committee on Parkman Fund, submitted the following:

Report on message of Mayor and order (referred today) that sum of \$23,000 be appropriated from income of George F. Parkman Fund to be expended under direction of the Park Commissioners—recommending that same ought to pass.

The report was accepted, and the question came on the passage of the order. The order was passed, yeas 16, nays 0.

Yeas—Councilors Bayley, Bryan, Carey, Chase, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Madden, McCormack, Moriarty, Muchnick, Russo, Sullivan.—16

Nays—0.

CONSTRUCTION OF INCINERATOR,
SOUTH END.

Coun. MADDEN offered the following:
Ordered, That his Honor the Mayor be requested to immediately direct the Commissioner of Public Works to start work on the construction of the long-delayed central incinerator in the South End.

Passed under suspension of the rules.

DISPOSAL OF ASHES, GARBAGE, AND
SNOW.

Coun. MADDEN offered the following:
Ordered, That his Honor the Mayor be requested, on behalf of the city, to take over existing dumps in the City of Boston by right of eminent domain; that he acquire a few scows to accommodate trucks dumping city refuse; that henceforth all ash, garbage, and snow removal contracts be awarded for a three-year term instead of one year; and that the city immediately enter into contracts with farmers for the sale of swill instead of paying contractors for picking up same; and that the Commissioner of Public Works revise existing contract specifications in order to give all interested bidders a chance to acquire necessary equipment rather than peremptorily excluding bidders without P. W. D. or other plates.

Passed under suspension of the rules.

APPOINTMENT OF TEMPORARY
CHAIRMAN, EXECUTIVE COMMITTEE.

Chairman SULLIVAN appointed Councilor Kinsella as temporary chairman of the Executive Committee.

RECESS.

On motion of Councilor Moriarty the Council voted at 4.44 p. m. to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 5.15 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of the Mayor and order (referred today) appropriating \$10,000 from income of Printing Department for departmental stationery and postage—that same ought to pass.

Report on message of the Mayor and order (referred today) that \$2,000 be appropriated to be expended under direction of the Mayor by the Rent and Housing Committee, said sum to be charged to Contingent Fund—that same ought to pass.

Report on message of the Mayor and orders for transfers of appropriations (referred today)—that same ought to pass.

The reports were accepted, and the question came on the passage of the orders. The roll was called, and the orders were passed, yeas 14, nays 0.

Yeas—Councilors Bayley, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan.—14.

Nays—0.

2. Report on message of Mayor and ordinance (referred today) covering licensing of automatic amusement devices—that same ought to pass.

The report was accepted. On motion of Councilor Hannon the ordinance was rejected.

3. Report on message of the Mayor and order (referred September 3) for appropriation of \$75,000 for purchase of Eastern Avenue Wharf—recommending passage of order in accompanying new draft, viz.:

Ordered, That under the provisions of section 63 of chapter 44 of the General Laws the sum of seventy-five thousand dollars (\$75,000) be, and the same hereby is, appropriated from the special account, Sales of City Property, to be expended under the direction of the Institutions Commissioner for the acquisition of an absolute title (subject, however, to any and all rights of the Quiney Market Cold Storage and Warehouse Company) to Eastern Avenue Wharf and the land appurtenant thereto, for the purpose of docking Institutional boats.

The report was accepted, and the question came on the passage of the order. The order was given its first reading and passage, yeas 15, nays 0.

Yeas—Councilors Bayley, Chase, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan.—15.

Nays—0.

The order will take its second reading and passage in not less than 14 days.

ORDINANCE CONCERNING AUTOMATIC
AMUSEMENT DEVICES.

Coun. HANNON, offered the following:
City of Boston,
In the Year Nineteen Hundred and Forty-Seven.
An Ordinance Concerning Automatic Amusement Devices.

Be it ordained by the City Council of Boston, as follows:

The Revised Ordinances of 1947 are hereby amended by adding thereto the following chapter:

CHAPTER 42.—CONCERNING AUTOMATIC
AMUSEMENT DEVICES.

SECTION 1. For the purpose of this chapter, an automatic amusement device is hereby defined as any mechanism whereby, through the insertion of a coin or token, any apparatus is released or set in motion or is put in a position where it may be set in motion for the purpose of playing any game, including, but not exclusively, such devices as are commonly known as pinball machines, marble games, diggers, grab machines, baseball or football machine games, target machines and horse racing machines.

SECT. 2. No person shall, except in accordance with a license granted by the mayor, maintain, operate or permit to be operated or maintained in any restaurant, public hall, store, place of amusement or any other place to which members of the public may resort, any automatic amusement device.

SECT. 3. Licenses granted for the maintenance, possession and operation of such automatic amusement devices shall be issued annually to expire

on December thirty-first of each year. The fee for such license shall be one hundred dollars per year or portion of a year for each device.

SECT. 4. The mayor shall make rules and regulations for the use of such automatic amusement devices by the holders of licenses and he may require, from time to time, the furnishing of reports concerning the ownership of such devices or any interest therein, receipts for the use of such devices and any other information which he may deem pertinent concerning such devices and their use and operation.

SECT. 5. No person holding a license for the use of any such automatic amusement device shall use or permit the same to be used for the purpose of gambling in any manner whatsoever, either directly or indirectly.

SECT. 6. No licensee under this chapter shall permit a minor to operate an automatic amusement device without the written consent of his parent or guardian.

SECT. 7. Automatic amusement devices shall be so installed on the premises described in the license as to be in open view at all times while in operation. They shall at all times be available

for inspection by the mayor and the police commissioner for the city of Boston or their authorized agents. Licenses shall not be valid to protect the holders thereof in a building or place other than that designated in the license, unless consent to removal is granted by the mayor.

SECT. 8. Any violation of the provisions of this ordinance or of chapter 136 of the General Laws shall be cause for revocation of licenses for all devices owned or controlled by licensee.

SECT. 9. Any person, firm or corporation violating the provisions of this ordinance shall be subject to a penalty not exceeding twenty dollars for each offense.

Referred to the Committee on Ordinances.

On motion of Councilor Russo the Council voted to adjourn at 5.20 p. m., to meet on Monday, November 10, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 10, 1947.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Bryan, Cook and Fish.

The meeting was opened with the salute to the Flag.

JURORS DRAWN.

Jurors were drawn, Councilor Bayley presiding at the box in the absence of the Mayor, viz.:

Sixty-four traverse jurors, Superior Criminal Court, to appear December 1, 1947:

Henry Massaro, Ward 1; John Maupas, Ward 1; Dennis P. McAuliffe, Ward 1; William T. Silvey, Ward 1; James Joseph Flanagan, Ward 2; Wilfred G. James, Ward 2; James Tanso, Ward 3; John S. Beck, Ward 4; John E. Burrows, Ward 4; Arthur A. Currie, Ward 4; David Franklin, Ward 4; Homer LaCourse, Ward 5; Philip C. Murfitt, Ward 5; John E. Wilson, Ward 5; Salvatore Falzone, Ward 6; Henry W. Brennon, Ward 7; George B. Harvey, Ward 7; John Lucas, Ward 7; William J. McCart, Ward 7; Albert W. Rikeman, Ward 7; Philip Bradley, Ward 8; James D. Callender, Ward 9; Georges Couchayles, Ward 9; Raymond G. Maxwell, Ward 9; Patrick O'Connor, Ward 9; Ralph R. Ransom, Ward 9; Francis A. Cotreau, Ward 10; Dermott J. Hunt, Ward 10; Herman Stegemann, Ward 11; Hyman Cooper, Ward 12; Henry Davis, Ward 12; Samuel Goldings, Ward 12; James E. Connors, Ward 13; Frank B. Giordano, Ward 13; William Bern, Ward 14; Max G. Norman, Ward 14; Warren L. Olch, Ward 14; Harry Winer, Ward 14; Barnard H. Winer, Ward 14; Solomon C. deJong, Ward 15; Robert A. James, Ward 15; Robert M. Spears, Ward 15; John Barry, Ward 17; John Luyckx, Ward 17; Arnold J. Ryan, Ward 17; Francis C. Watt, Ward 17; Thomas Davies, Ward 18; William J. Kostigan, Ward 18; John P. O'Callaghan, Ward 18; David D. White, Ward 18; Edward A. Saulnier, Ward 19; Roger L. Smith, Ward 18; William S. Goff, Ward 20; John F. Ippolito, Ward 20; Rudolph Keller, Jr., Ward 20; Joseph Pistorio, Ward 20; Charles B. Wood, Ward 20; William E. MacLean, Ward 21; John F. McCarthy, Ward 21; Daniel L. Mitchell, Ward 21; Herbert C. Sturtevant, Ward 21; Nathaniel I. Goodman, Ward 22; Joseph Edward A. Rouleau, Ward 22; Frank X. Wright, Ward 22.

One hundred thirty-one traverse jurors, Superior Civil Court, to appear December 1, 1947:

Charles W. Critch, Ward 1; Orlando DelloRusso, Ward 1; Paolo Famolare, Ward 1; Henry Festa, Ward 1; Harry R. Howe, Ward 1; John J. Keohane, Ward 1; Charles Stocco, Ward 1; John J. Higgins, Ward 2; John J. Hourihan, Ward 2; Thomas F. Norris, Ward 2; Joseph A. Tynan, Ward 2; Frank Bicchieri, Ward 3; Lester C. Blaisdell, Ward 3; Joseph Campanello, Ward 3; Anthony Ciampa, Ward 3; Joseph Germano, Ward 3; James A. LaMarr, Ward 3; Norman Noam, Ward 3; Rudolph H. Boebel, Ward 4; Albert Cote, Ward 4; James H. Crowell, Ward 4; Louis H. Emery, Ward 4; Edward P. Morrison, Ward 4; E. Craig Thomson, Ward 4; Alfred O. Berntsen, Ward 5; Joseph C. Butera, Ward 5; David O. Frazier, Ward 5; Howard S. Fuller, Ward 5; Courtlandt B. Hull, Ward 5; Isaac F. Kinnard, Ward 5; Arthur E. Lane, Ward 5; Alfred G. Moss, Ward 5; Joseph M. Princi, Ward 5; Robert W. Russell, Ward 5; Anthony Alessi, Ward 6; James F. Carleton, Ward 6; Charles J. Peck, Ward 6; Edward F. Welch, Ward 6; Walter A. Conlin, Ward 7; Edward J. Curran, Ward 7; John T. Foley, Ward 8; John Lazzara, Ward 8; Francis Alford, Ward 9; Alfred Brinkert, Ward 9; Charles H. Coleman, Ward 9; Elmo F. Fury, Ward 9; Charles L. Marshall,

Ward 9; Maurice J. Monaghan, Ward 9; James Young, Ward 9; George Beninghof, Ward 10; James J. Fitzgerald, Ward 10; Joseph F. Graber, Ward 10; John B. Lyons, Ward 10; Lawrence Wrenn, Ward 10; Joseph J. Campanella, Ward 11; Fred E. Deimniger, Ward 11; Edward F. Kearns, Ward 11; William Kelly, Ward 11; John J. O'Neil, Ward 11; Walter J. Sasche, Ward 11; Abraham Gray, Ward 12; Frank Lawn, Ward 12; Alexander Rosenfield, Ward 12; Clifton Ross, Ward 12; David H. Sklar, Ward 12; Leonard Tuttle, Ward 12.

David Bycoff, Ward 13; Joseph Luke Dugas, Ward 13; Morris Blinderman, Ward 14; Alfred S. Hambro, Ward 14; Carl H. Johnson, Ward 14; Morris Klain, Ward 14; Samuel T. Kramer, Ward 14; Isaac Rabinovitz, Ward 14; Harry Steinberg, Ward 14; Antonio Williams, Ward 14; Robert F. Conroy, Ward 15; Edwin T. Irwin, Ward 15; Joseph E. Morell, Ward 15; Reuben P. Allen, Ward 16; John F. Better, Ward 16; Edward V. Bezzaro, Ward 16; Joseph Bishop, Ward 16; John A. Cameron, Ward 16; Andrew W. Garrett, Ward 16; Daniel G. Healy, Ward 16; Frank B. Mace, Ward 16; George J. O'Brien, Ward 16; John Albert Pasteris, Ward 16; Leonard H. Smith, Ward 16; William J. Wiederhold, Ward 16; James Albert Crawford, Ward 17; Charles J. Earle, Ward 17; Michael J. Gilligan, Ward 17; Kenneth B. Hansen, Ward 17; Charles L. Hurley, Ward 17; John B. Kiniry, Ward 17; Simon M. Needleman, Ward 17; Patrick F. Sullivan, Ward 17; Richard Wadler, Ward 17; Robert Bryce, Ward 18; Joseph Cohen, Ward 18; George R. Haven, Ward 18; John Northon, Ward 18; James E. O'Brien, Ward 18; Chandler D. Phinney, Ward 18; Philip Saks, Ward 18; Ralph H. Trow, Ward 18; Raymond A. Clark, Ward 19; George D. Dubois, Ward 19; Richard J. Foley, Ward 19; Charles H. Kennedy, Ward 19; Anton Mayer, Ward 19; James F. McManus, Ward 19; William H. Otto, Ward 19; Lewis Zahn, Ward 19; Herbert J. Collins, Ward 20; Gerald R. Fitzsimmons, Ward 20; Charles J. Pizzano, Ward 20; Edward C. Taylor, Ward 20; Stanley C. Converse, Ward 21; John F. McCarthy, Ward 21; Louis H. Natanson, Ward 21; James Barletta, Ward 22; Philip T. Heffernan, Ward 22; Walter J. Johns, Ward 22; Joseph P. Jordan, Ward 22; James J. Reale, Ward 22; Edward Rubin, Ward 22; John J. Stewart, Ward 22; Walter A. Trask, Ward 22.

INCREASED AID TO WELFARE
RECIPIENTS.

The following was received:

City of Boston,
Office of the Mayor, October 28, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Chairman of the Overseers of Public Welfare relative to your order of October 6 concerning increased aid to welfare recipients.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Overseers of the Public Welfare,
October 24, 1947.

Hon. John B. Hynes,
Mayor of Boston.

Dear Sir,—The Board of Overseers of the Public Welfare, in answer to the order of the City Council passed on October 6, 1947, which reads as follows:

"Ordered, That his Honor the Mayor be requested to instruct the Public Welfare Department to double the present allowances given to Old Age Assistance and other recipients of welfare aid, due to the decline in the value of the dollar and extremely high prices charged for food, clothing, etc."

wishes to reply that they have no control of the amounts of aid allowed in Aid to Dependent Children or Old Age Assistance cases, as the department is obliged under the law to follow the mandatory state budget, and that General Relief cases have recently been increased.

Sincerely yours,
LOUIS P. LEONARD,
Chairman.

Placed on file.

**"STOP" SIGN AT WINSHIP AND
UNION STREETS.**

The following was received:

City of Boston,
Office of the Mayor, November 10, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of October 20, concerning the installing of "Stop" signs at the intersection of Winship and Union streets, bordering Wards 21 and 22.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Traffic Commission, November 5, 1947.
Hon. John B. Hynes,
Mayor of Boston.

Dear Sir,—In reply to Council order of October 20, 1947, in which the Boston Traffic Commission is requested to install "Stop" signs at the intersection of Winship and Union streets, please be advised that there have been very few accidents during the past ten years, and in the opinion of the engineers no action should be taken on this request.

Respectfully submitted,
LEO F. CURLEY,
Commissioner.

Placed on file.

**TRAFFIC SIGNALS AT NORTH AND
FLEET STREETS.**

The following was received:

City of Boston,
Office of the Mayor, November 10, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of September 29, concerning the installing of traffic signal lights at the intersection of North and Fleet streets, Ward 3.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Traffic Commission, November 4, 1947.
Hon. John B. Hynes,
Mayor of Boston.

Dear Sir,—In reply to Council order of September 29, 1947, requesting the Boston Traffic Commission to install traffic lights at the intersection of Fleet street and North street, Boston, please be advised that I do not believe any action should be taken on this Council order.

At the present time we do not have money available, and in the opinion of the Engineering Department there are many other intersections that should receive consideration before this suggestion.

Respectfully submitted,
LEO F. CURLEY,
Commissioner.

Placed on file.

TRAFFIC SIGNALS IN WARD 22.

The following was received:

City of Boston,
Office of the Mayor, November 10, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Traffic Commissioner relative to your order of October 20, concerning the installing of automatic traffic signals at Parsons and Arlington streets, Chestnut Hill avenue and Chiswick road, and Lincoln and Franklin streets, Ward 22, funds to be included in 1948 budget.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Traffic Commission, November 4, 1947.
Hon. John B. Hynes,
Mayor of Boston.

Dear Sir,—In reply to Council order of October 20, 1947, in which the Boston Traffic Commission is requested to include in next year's budget sufficient sums to install automatic traffic signals at the following locations in Ward 22—Parsons and Arlington streets, Chestnut Hill avenue and Chis-

wick road, Lincoln street and Franklin street—you are hereby advised that the intersection of Parsons street and Arlington street will be signalized shortly and that, when and if money becomes available, every consideration will be given to the request to install traffic signals at the other two intersections.

Respectfully submitted,
LEO F. CURLEY,
Commissioner.

Placed on file.

**UNIFORMS FOR MAINTENANCE DIVISION
MEMBERS OF FIRE DEPARTMENT.**

The following was received:

City of Boston,
Office of the Mayor, October 30, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Fire Commissioner relative to your order of October 20, 1947, concerning the equipping with uniforms of the employees of the Maintenance Division of the Boston Fire Department.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Fire Department, October 29, 1947.

Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Mr. Mayor,—Reference is made to attached City Council order dated October 20, 1947, requesting the Fire Commissioner to equip with uniforms the employees of the Maintenance Division of the Boston Fire Department.

There are not sufficient funds in our budget at this time to equip the members of the Maintenance Division, as priority for uniforms must be given to the members of the fire fighting force. Further, I can see no advantage that would be derived from giving uniforms to civilian employees of the Maintenance Division.

Very truly yours,
RUSSELL S. CODMAN, JR.,
Fire Commissioner.

Placed on file.

**ACQUISITION OF JACKSON PARK,
BRIGHTON.**

The following was received:

City of Boston,
Office of the Mayor, October 28, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Corporation Counsel relative to your order of October 20, 1947, concerning a progress report to the City Council relative to the acquisition of Jackson Park on Commonwealth avenue, Brighton.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Law Department, October 24, 1947.
J. Joseph Connors, Esq.,
Chief Clerk, Mayor's Office.

Dear Sir,—On October 21, 1947, you referred to the Law Department the enclosed order of the City Council requesting the Corporation Counsel to submit a progress report relative to the acquisition of Jackson Park on Commonwealth avenue, Brighton. I referred your communication to Assistant Corporation Counsel Samuel S. Dennis, who is in charge of tax title matters, and I enclose a copy of his report to me.

If the purpose of this order is for the establishment of a park on City of Boston property it is necessary that the matter be referred to the Board of Park Commissioners for their consideration.

Yours very truly,
JOSEPH A. SCOLPONETI,
Corporation Counsel.

MEMORANDUM.

Re: Lot 7, Chiswick Road, Brighton, Ward 21,
File M-695.

This memorandum is in relation to enclosed communication from the office of the Mayor, dated October 21, 1947, and referring to Council order October 20, 1947, requesting the Corpora-

tion Counsel to submit a progress report to the City Council relative to the acquisition of Jackson Park on Commonwealth avenue, Brighton.

The Tax Title Division of the Law Department has no case referring to property designated as Jackson Park. However, we have a file referring to property, Lot 7, Chiswick road, Brighton, which may be the property the Council have in mind. This property, according to our latest report, stood in the name of Lorenzo D. Baker *et al.*, Trustees of "Jackson Park Trust." Said property being further described in deed Spencer W. Richardson to Trustees of Jackson Park Trust, recorded Suffolk Registry of Deeds, Book 3566, page 302. See also Brighton Atlas, 1916, Plate 10.

The city at one time held a tax title on these premises acquired for nonpayment of the taxes for the year 1941. It appears that under date of February 25, 1947, the taxes due the city as they appeared upon the tax title account, namely, for the years 1941 to 1945, inclusive, were paid and redemption was made from the tax title then held by the city. The City of Boston is not at present the holder of any tax title on these premises. It well may be that the Council by order of May 26, 1947, contemplated the acquisition of this property through a taking by eminent domain.

Respectfully submitted,
SAMUEL S. DENNIS,
Assistant Corporation Counsel.

October 23, 1947.
Placed on file.

APPROPRIATION FROM PRINTING DEPARTMENT INCOME.

The following was received:

City of Boston,
Office of the Mayor, November 10, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached request from the Superintendent of Printing for an additional appropriation of \$41,352.21, necessary to provide sufficient funds for the purchase of equipment and materials for the balance of the year.

In compliance with this request, there is forwarded herewith an order providing for the appropriation of \$41,352.21 from the income of the Printing Department, and I recommend consideration and adoption of this order by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1947, an additional sum of forty-one thousand three hundred fifty-two dollars and twenty-one cents (\$41,352.21) be, and the same hereby is, appropriated from the income of the Printing Department for the following purpose:

PRINTING DEPARTMENT.		
B. CONTRACTUAL SERVICES.....		\$52 21
14. Motor vehicle repairs and care....	\$52 21	
C. EQUIPMENT.....		300 00
17. Miscellaneous equipment.....	\$300 00	
D. SUPPLIES.....		1,000 00
3. Fuel.....	\$1,000 00	
E. MATERIALS.....		40,000 00
13. Miscellaneous materials.....	\$40,000 00	
		<u>\$41,352 21</u>

Referred to the Executive Committee.

APPROPRIATION FROM WORLD WAR MEMORIAL PARK SPECIAL RESERVE ACCOUNT.

The following was received:

City of Boston,
Office of the Mayor, November 10, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Chairman of the Park

Department, in which he states that he has deposited with the City Collector a check on the Treasurer of the United States in the amount of \$31,790, which represents reimbursement by the federal government for damage caused to World War Memorial Park and Athletic Field during the recent war. Negotiations for this reimbursement have been carried on for a considerable period of time, hut, pending receipt of this money, the Park Department proceeded to restore this park and athletic field, charging the expenses against the Special Appropriation, "Park and Playground Improvements, etc.," with the understanding that this appropriation would be reimbursed for the money expended from it. Accordingly, there is forwarded herewith an order appropriating this sum from the World War Memorial Park Special Reserve Account to the Special Appropriation, "Park and Playground Improvements, etc."

Consideration and adoption of this order by your Honorable Body is recommended.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Park Department, November 6, 1947.

Hon. John B. Hynes,
Mayor of Boston.

Dear Sir,—I have today deposited with the City Collector a check on the Treasurer of the United States in the amount of \$31,790, which represents reimbursement by the federal government for damage caused to World War Memorial Park and Athletic Field during the recent war. This park was used as a barracks and headquarters for the United States Army and, because of extensive use to which the area was put, it received considerable wear and tear with resultant damage.

I have carried on negotiations for a considerable period of time with officials of the government with regard to the restoration of this park. Estimates for the regrading and resurfacing of the athletic field, grading of all areas, restoration of the field house, cleaning out of drainage and sewerage systems, and work of a similar nature was submitted to the federal government with the request that we be reimbursed for the damage that was caused to these areas. An over-all estimate was submitted to the government in the amount of \$48,617. After considerable negotiation they finally agreed to pay the amount referred to herein, \$31,790, although originally they wanted to pay less. The necessary papers prior to the receipt of this payment were approved by the Corporation Counsel and your Honor.

Pending receipt of this money we proceeded to restore and resurface the main athletic field and some areas in the park. A contract for this work was publicly advertised, and the low bid received amounted to \$21,853. This work is now in progress and has been substantially completed.

This contract has been charged to the Special Appropriation, "Park and Playground Improvements, etc., Revenue," and we feel that this appropriation should be reimbursed for the money being expended from it. It is our intention, with your approval, to have the \$31,790 received from the federal government appropriated to the Park and Playground Improvement account.

Accordingly, it is respectfully requested that you initiate an order on the City Council asking that this money be transferred from the Special Reserve account in the Collector's office to the "Park and Playgrounds, Improvements, etc., Revenue" account. This check has been placed in the Special Reserve account pending action by you. Otherwise, we would have been required to deposit it to General Revenue.

I present this matter to you for your consideration and whatever action you deem necessary.

Respectfully yours,
JOHN J. MURPHY,
Chairman.

Ordered, That the sum of thirty-one thousand seven hundred ninety dollars (\$31,790) be, and the same hereby is, appropriated from the World War Memorial Park Special Reserve Account, to be expended under the direction of the Chairman of the Park Department for Park and Playground Improvements.

Referred to the Executive Committee.

APPROPRIATION FOR GENERAL REZONING STUDY, ETC.

The following was received:

City of Boston,
Office of the Mayor, November 10, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached request of the Joint Committee on Rezoning, composed of representatives of the City Planning Board and the Board of Zoning Adjustment, requesting the sum of \$750 for consultant assistance in the drafting of legislation to clarify certain phases in the Zoning Law, and also for a report and advice on the need of a general rezoning study.

In compliance with the above request I am forwarding herewith an order appropriating the sum of \$750 from the Contingent Fund for this purpose, and recommend consideration and adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Board of Zoning Adjustment,
October 28, 1947.

Hon. John B. Hynes,
Temporary Mayor.

Dear Mr. Mayor.—At a meeting held on Wednesday, October 22, the Joint Committee on Rezoning, composed of representatives of the City Planning Board and the Board of Zoning Adjustment, after thorough consideration,

Voted, To request of his Honor the Temporary Mayor that the sum of \$750 be made available from the Contingent Fund to the Board of Zoning Adjustment, working jointly with the City Planning Board, for consultant assistance in the drafting of legislation to clarify certain phases in the Zoning Law and also for a report and advice on the need of a general rezoning study.

The zoning of Boston has never been comprehensively revised since the Zoning Law went into effect in 1924. Some changes are definitely needed. A determination should immediately be made as to the desirability of a major city-wide rezoning study. Therefore, your Honor's approval of the above appropriation is urgently requested.

Very truly yours,
JOHN A. BREEN, Chairman,
Board of Zoning Adjustment
Committee on Rezoning.

Ordered, That the sum of seven hundred fifty dollars (\$750) be, and the same hereby is, appropriated, to be expended under the direction of the Board of Zoning Adjustment in connection with a general rezoning study, same to be charged to the Contingent Fund.

Referred to the Executive Committee.

TRANSFERS OF APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, November 10, 1947.
To the City Council.

Gentlemen,—The enclosed requests for transfers of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Institutions Department, Long Island Hospital, A-1, Permanent Employees, \$30,000, to the appropriation for Penal Institutions Department, House of Correction, D-3, Fuel, \$30,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Institutions Department, Long Island Hospital, B-39, General Re-

pairs, \$3,000, to the appropriation for Institutions Department, Steamer "Stephen O'Meara," B-39, General Repairs, \$2,000; D-3, Fuel, \$1,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Municipal Court, Dorchester District, A-1, Permanent Employees, \$300, to the appropriation for Municipal Court, Charlestown District, D-1, Office, \$300.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Park Department, Special Appropriation, South Boston District Headquarters, Establishment of, \$3,500, to the appropriation for Park Department, Special Appropriation, South Boston Gymnasium, Equipment, \$3,500.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Works Department, Sanitary Service, A-1, Permanent Employees, \$31,000; A-2, Temporary Employees, \$4,000, to the appropriation for Public Works Department, Lighting Service, B-8, Light, Heat and Power, \$21,000; B-42, Miscellaneous Services, \$7,000; C-17, Miscellaneous Equipment, \$4,000.

Severally referred to the Executive Committee.

APPOINTMENT OF JOHN C. CONLEY TO HOUSING AUTHORITY.

The following was received:

City of Boston,
Office of the Mayor, November 10, 1947.
To the City Council.

Gentlemen,—Under the provisions of section 26M of the Housing Authority of the Commonwealth (as inserted in chapter 121 of the General Laws and as amended by section 1 of chapter 484 of the Acts of 1938) I hereby appoint John C. Conley, 1163 Boylston street, Boston, to be a member of the Boston Housing Authority for the term expiring January 8, 1948, *vice*, Eva Whiting White, resigned.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Ordered, That the appointment by his Honor the Mayor of John C. Conley to be a member of the Boston Housing Authority for the term expiring January 8, 1948, be, and hereby is, confirmed and approved.

Referred to Committee on Public Housing.

REVISION OF CERTAIN LICENSE FEES.

The following was received:

City of Boston,
Office of the Mayor, November 7, 1947.
To the City Council.

Gentlemen,—I submit herewith an ordinance providing for certain changes and revisions in existing fees for permits, licenses, and departmental services. This ordinance is based on recommendations submitted by the committee appointed early this year to survey departmental revenues, and a copy of the committee's report is attached hereto.

There has been no general revisions of fees for licenses and permits issued by the various departments of the city since 1938. In the meanwhile, as you are well aware, the cost to the city of furnishing departmental services or making available the privileges represented by the issuance of licenses, permits, etc., has expanded materially. It would seem expedient and desirable, therefore, that a revision of departmental charges and fees should be made wherever such revision can be

defended on the grounds of reasonableness. I therefore recommend adoption of the accompanying ordinance and trust that such action will take place in time to make the revised charges effective as of January 1, 1948.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Boston, November 6, 1947.

John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,— Departmental revenues received in the City of Boston from the collection of fees for permits and licenses, fines, service charges, etc., may 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 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. This statute was amended by chapter 173 of the Acts of 1939, which gave additional power to the Council "to fix the compensation to be paid for any services rendered or work performed by the city or any department therein for any person or class of persons." 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 early this year 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 first group of recommendations have already been submitted to the various departments concerned, and in a number of instances the new fees and charges suggested have already been adopted. With regard to the second group of recommendations, it is hoped that the revisions and changes therein proposed may be made effective wherever possible as of January 1, 1948.

In drafting its recommendations, 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 inspectional 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 not only result in increased revenues to the city, but will also establish fees for licenses and permits more consistent with the type and character of service or privilege granted.

Respectfully,
CHARLES J. FOX,
DANIEL F. DONOVAN,
.....*

* John B. Hynes, City Clerk, served as a member of the Committee until his appointment as Temporary Mayor, June 26, 1947.

CHARGES AND REVISIONS REQUIRING ACTION BY DEPARTMENT HEADS.

TYPE OF LICENSE, PERMIT OR SERVICE CHARGE.	PRESENT FEE.	PROPOSED FEE.
BUILDING DEPARTMENT.		
Appeals, Building Law.....	\$10	\$15
Builder's hoists.....	\$2 per car.	\$10 per car.
Buildings, taking down:		
Up to three stories.....	\$2	\$5
Four and five stories.....	\$10	\$15
Over five stories.....	\$15	\$20
Dumb waiters:		
Original installation.....	\$1 per car; maximum fee, \$10.	\$2 per car.
Elevators and escalators:		
Alterations.....	\$1 per car.	\$2 per thousand of estimated cost or fraction thereof.
Annual inspection and test.....	\$2 each, one to ten; \$1 all over ten; maximum, \$50.	\$3 per elevator.
Major changes.....	\$1 per car.	\$10 per car.
Original installations.....	\$5 first car or unit; \$3 each additional car.	\$10 each car or unit.
Fire test, gas installation.....	No fee.	\$1
Gas appliances— Installation and replacement of.....	25 cents per unit.	50 cents per unit.

CHARGES AND REVISIONS REQUIRING ACTION BY DEPARTMENT HEADS.— *Continued.*

TYPE OF LICENSE, PERMIT OR SERVICE CHARGE.	PRESENT FEE.	PROPOSED FEE.
HEALTH DEPARTMENT.		
Dumps, inspection of.....	\$1 per annum.	\$25 for new application and \$5 for annual renewal.
Hens, keeping of—		
Up to and including 25 hens.....	\$1 per annum.	\$2 per annum.
Over 25 and up to 1,000 hens.....	\$1 per annum.	\$10 per annum.
Over 1,000 hens.....	\$1 per annum.	\$25 per annum.
Massage, vapor baths, etc.....	\$1 per annum.	\$5 per annum.
HOSPITAL DEPARTMENT.		
Certificate of diagnosis and treatment.....	50 cents.	\$1
Copies of clinical records.....	\$2 each.	\$2 minimum fee; for each extra record 35 cents; maximum, \$5.
Board for paying patients:		
Ward rates.....	Boston settled cases, \$6 per day; non-settled cases, \$7 per day.	Boston settled cases, \$7 per day; non-settled cases, \$8 per day.
Private room rates.....	Boston settled cases, \$7 per day; non-settled cases, \$8 per day.	Boston settled cases, \$8 per day; non-settled cases, \$9 per day.
X-ray pictures—		
Regular.....	Varying.	Increase by \$2.
Bismuth series.....	Varying.	Increase by \$5.
LICENSING BOARD.		
Innholder, all alcoholic.....	\$2,000 per annum.	\$2,500 per annum.
Package stores, retail, all alcoholic.....	\$1,200 per annum.	\$1,300 per annum.
Victualer, common, all alcoholic.....	\$1,400 per annum (7 days). \$1,150 per annum (6 days).	\$1,500 per annum (7 days). \$1,200 per annum (6 days).
MAYOR'S OFFICE.		
Basketball, professional.....	\$2 each permit.	\$5 each permit.
Halls, large.....	\$50 per year.	\$100 per year.
Rodeo.....	\$300 per week.	\$500 per week.
Wrestling.....	\$50 per year, over 12,000 capacity; \$30 per year under 12,000 capacity.	\$50 per year.
POLICE DEPARTMENT.		
Hand cart.....	\$1 per annum.	\$2 per annum.
Junk collector.....	\$5 per annum.	\$10 per annum.
Junk shopkeeper.....	\$25 per annum.	\$50 per annum.
Musician—		
Collective.....	\$1 per annum.	\$2 per annum.
Itinerant.....	\$5 per annum.	\$10 per annum.
Second-hand articles.....	\$10 per annum.	\$20 per annum.
Special police.....	\$2 per annum.	\$5 per annum.
Wagon.....	\$1 per annum.	\$2 per annum.
PUBLIC BUILDINGS DEPARTMENT.		
Halls, rentals.....	\$15 per night.	\$25 per night; \$50 Sundays.
Wardrooms, rentals.....	\$5 per meeting.	\$10 per meeting.

CHARGES AND REVISIONS REQUIRING CITY COUNCIL ACTION.

TYPE OF LICENSE, PERMIT OR SERVICE CHARGE.	PRESENT FEE.	PROPOSED FEE.
ASSESSING DEPARTMENT.		
Certificates of residence or real estate ownership.....	None.	\$1 when records are readily available; \$5 when search in departmental vaults is necessary.
BOARD OF APPEAL.		
Appeals, Zoning Law.....	\$15	\$25
HEALTH DEPARTMENT.		
Milk vehicle, registration of.....	\$1 per vehicle.	\$2 per vehicle.
Slaughtering of animals.....	\$25 per annum.	\$100 per annum.
LICENSING BOARD.		
Billiard, pool and bowling alleys, each alley or table.....	\$5 per annum.	\$10 per annum.
Fruit, etc., Sunday sales.....	\$5 per annum.	\$7 per annum.
Lodging houses.....	\$2 per annum.	\$10 per annum.
Soft drinks, retail vendors.....	\$2 per annum.	\$3 per annum.
Victualer, common.....	\$7.50 per annum.	\$10 per annum.
POLICE DEPARTMENT.		
Auctioneer, Class 1.....	\$2 per annum.	\$5 per annum.
Dogs, male.....	\$2 per annum.	\$2.50 per annum.
Pawnbroker—		
Six months or more.....	\$50 per annum.	\$100 per annum.
Less than six months.....	\$25 per annum.	\$50 per annum.
Street, railway conductor, motorman and starter.....	25 cents.	\$1
PUBLIC BUILDINGS DEPARTMENT.		
Rental, Faneuil Hall:		
Day.....	\$10	\$25
Night and Sunday.....	\$15	\$50
STREET LAYING-OUT DEPARTMENT.		
Making of plans:		
Where survey of premises necessary.....	No fee.	\$15
Where no survey is necessary.....	No fee.	\$10
Making of sketches for signs, marquees, etc.....	No fee.	\$5
Obtaining names and addresses of abutters and notifying of dates and of hearings.....	No fee.	\$10
Petroleum and inflammable fluids, storage of:*		
1 to 500 gallons.....	\$10	\$20
501 to 2,500 gallons.....	\$15	\$25
2,501 to 5,000 gallons.....	\$20	\$30
5,001 to 10,000 gallons.....	\$40	\$50
10,001 to 50,000 gallons.....	\$80	\$100
Signs, plain (other than canvas or cloth).....	\$2 per annum.	20 square feet or less, \$3 per annum; more than 20 square feet, up to, and including 40 square feet, \$5 per annum; more than 40 square feet, \$5 per annum plus 10 cents for each additional square foot or fraction thereof up to and including 90 square feet; provided that when any plain sign projects over the public highway in excess of 5 feet there shall be an additional fee of \$1 per annum for each linear foot or fraction thereof of said excess projection.
WEIGHTS AND MEASURES DEPARTMENT.		
Liquid measuring devices, where diameter of the inlet pipe is more than 1 inch.....	\$1	\$3
Testing heavy type scales with a capacity of more than 10,000 pounds.....	\$3	\$5

* Original permit fees. Annual renewal permits issued by Fire Department at half the rate of above schedule.

City of Boston,
In the Year Nineteen Hundred and Forty-Seven.

An Ordinance Revising Certain Fees.

Be it ordained by the City Council of Boston,
as follows:

SECTION 1. Section twenty-two of chapter forty-one of the Revised Ordinances of 1947 is hereby amended as follows:

In clause 3, relative to transportation of milk, line 5, by striking out \$1 and inserting \$2.

In clause 5, relative to offensive trades, line 7, by striking out \$25 and inserting \$100.

In clause 7, relative to common victualers, by striking out \$7.50 and inserting \$10.

In clause 8, relative to sale of certain beverages by striking out \$2 and inserting \$3.

In clause 9, subdivision (b), relative to signs, first line, by striking out the words "Illuminated signs" and inserting the words "Signs, other than cloth or canvas" and by striking out in line 6 the word "illuminated."

In clause 11, relative to storage of petroleum products, second paragraph, by striking out \$10 and inserting \$20; third paragraph, by striking out \$15 and inserting \$25; fourth paragraph, by striking out \$20 and inserting \$30; fifth paragraph, by striking out \$40 and inserting \$50; sixth paragraph, by striking out \$80 and inserting \$100.

In clause 12, in the subdivision relative to scales with weighing capacity of more than 10,000 pounds, by striking out \$3 and inserting \$5, and by inserting before the last paragraph of said clause the following: "Liquid measuring devices, where diameter of the inlet pipe is more than one inch, \$3.

By adding after clause 13 the following clauses:—

14. Certificates by the assessing department of residence or real estate ownership — \$1 when records are readily available; \$5 when search in departmental vaults is necessary.

15. Licenses for hilliard, pool and howling alleys — \$10 per annum.

16. Sunday sales of fruit, etc.— \$7 per annum.

17. Lodging houses — \$10 per annum.

18. Licenses for auctioneers, Class 1 — \$5 per annum.

19. Male dog licenses — \$2.50 per annum.

20. Pawnbrokers — less than six months, \$50 per annum; six months or more, \$100 per annum.

21. Appeals from Zoning Board decisions — \$25.

22. Rental, Faneuil Hall — daytime, \$25, nighttime or Sunday — \$50.

23. Street railway conductor, motorman, and starter licenses — \$1.

24. Street Laying-Out Department — making of plans where survey of premises necessary, \$15; where no survey is necessary, \$10; making of sketches for signs, marquees, etc., \$5; obtaining names and addresses of shunters and notifying of hearings, \$10.

SECT. 2. This ordinance shall take effect beginning with the first day of January, 1948.

Referred to Committee on Ordinances.

LOAN OF \$3,000,000 AND RESCISSION OF \$7,000,000 LOAN FOR LOW-INCOME HOUSING.

The following was received:

City of Boston,

Office of the Mayor, November 10, 1947.
To the Honorable the City Council.

Gentlemen,— After negotiations with the Public Housing Administration of the federal government covering a period of several months, that agency has agreed to advance funds, up to the limit imposed upon it by federal statute, for the construction upon the so-called South End Site, next to Holy Cross Cathedral, of a low-cost housing development, provided that the City of Boston will lend to the Boston Housing Authority the remaining amount necessary to construct that project at present day building costs. It is estimated that the entire cost of the project, including amounts already invested by the federal government in the acquisition of land, demolition of structures, and plans, will be approximately five million five hundred thousand dollars (\$5,500,000).

The Public Housing Administration is authorized under existing law to invest in this project approxi-

mately three million three hundred thousand dollars (\$3,300,000), which figure includes a sum of approximately one million dollars (\$1,000,000) already invested by it in acquisition and cleaning of the site and drawing of plans. The estimated participation by the city, therefore, will be approximately two million two hundred thousand dollars (\$2,200,000), that estimate, of course, being subject to revision by the actual bids received from contractors.

The site in question has been ready for building since 1941, and in its present state is unpleasant to the eye and a detriment to the entire South End region. The drastic need for housing in the City of Boston makes it imperative that immediate steps be taken to construct some type of housing development on that site. It appears to me that procedure which I now recommend will provide more quickly for actual construction of housing on the South End Site than any other which might be adopted, and has the further advantage of requiring the least possible outlay of funds by the City of Boston.

I am advised by the Corporation Counsel that the city has authority under General Laws, chapter 121, section 26CC, to borrow for a maximum period of 15 years in order to lend the necessary amount to the Boston Housing Authority for the purposes I have mentioned above. I therefore submit a loan order in the amount of \$3,000,000, for the purposes above described.

I submit to your Honorable Body a second order, rescinding a previous order approved by me on August 21, 1947, purporting to appropriate to the Boston Housing Authority the sum of seven million dollars (\$7,000,000) for similar purposes. I am advised by the Corporation Counsel that the previous order of August 21, 1947, is incomplete, in that it confers no power to borrow, and he therefore recommends that the said order be rescinded.

Very truly yours,
J. B. HYNES,
Temporary Mayor.

Ordered, That under the provisions of General Laws, chapter 121, section 26CC, the sum of three million dollars (\$3,000,000) be, and the same hereby is, appropriated to be loaned to the Boston Housing Authority for the construction of a low-income housing development on the so-called South End or Cathedral Site, in cooperation with the Public Housing Administration of the federal government under the terms of the so-called McCarthy Act (Public Law 85, Eightieth Congress), and that the City Treasurer be, and hereby is, authorized to issue from time to time, upon request of the Mayor, bonds, notes, or certificates of indebtedness of the City of Boston to said amount.

On motion of Councilor Hannon the rules were suspended, and the order was read once and passed, yeas 15, nays 0.

Yeas—Councilors Bayley, Carey, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—15.

Nays—0.

The order will take its second reading and passage in not less than 14 days.

Ordered, That the previous order of the City Council purporting to appropriate the sum of seven million dollars (\$7,000,000) to be loaned to the Boston Housing Authority for the construction of low-income housing developments, which order was approved by the Temporary Mayor on August 21, 1947, be, and the same hereby is, rescinded.

On motion of Councilor Sullivan the rules were suspended, and the order was read once and passed, yeas 16, nays 0:

Yeas—Councilor Bayley, Cantwell, Carey, Chase, Hannon, Hurley, Keenan, Kelly, Kinsella, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—16.

Nays—0.

The order will take its second reading and passage in not less than 14 days.

LOAN OF \$7,000,000 FOR LOW-INCOME HOUSING DEVELOPMENTS.

Coun. LINEHAN offered the following:

Ordered, That under the provisions of General Laws, chapter 121, section 26CC, the sum of seven million dollars (\$7,000,000) be, and the

same hereby is, appropriated to be loaned to the Boston Housing Authority for the construction of low-income housing developments on the so-called Cathedral Site and the so-called South Boston Site, in cooperation with the Public Housing Administration of the federal government under the terms of the so-called McCarthy Act (Public Law 85, Eightieth Congress), and that the City Treasurer be, and hereby is, authorized to issue from time to time, upon the request of the Mayor, bonds, notes or certificates of indebtedness of the City of Boston to said amount.

On motion of Councilor Linehan the rules were suspended, and the order was read once and passed, yeas 15, nays 0:

Yeas—Councilors Bayley, Carey, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—15.

Nays—0.

The order will take its second reading and passage in not less than 14 days.

PETITIONS REFERRED.

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

Claims.

Ralph W. Alvarez, for reimbursement for execution issued against him.

Marion R. Baldwin, for compensation for damage to car by city truck.

Frank C. Burns, to be reimbursed for execution issued against him.

Thomas L. Cushing, to be reimbursed as result of accident which occurred while in performance of duty.

Mary S. Driscoll, for compensation for injuries caused by an alleged defect in Weld street.

Anna R. Elliman, for compensation for damage to car by ladder truck No. 29.

Meyer Goldstein, for compensation for damage to car by fire engine.

Julius Kaplan, for refund on second-hand dealer's license.

Shirley C. Lundy, for compensation for damage to bicycle and injuries caused by police car.

Johanna McCarthy, for compensation for injuries caused by an alleged defect in Saratoga street, East Boston.

Erasmo Mistretta, for compensation for damage to property at 40 Russell street, Charlestown, during demolition of adjoining property.

Robert C. Moon, for compensation for damage to car by fire apparatus.

Gertrude E. Morgan, for compensation for injuries caused by an alleged defect at 12 Clive street.

John J. O'Connor, to be reimbursed as result of accident which occurred while in performance of duty.

George E. Parsons, to be reimbursed as result of accident which occurred while in performance of duty.

Samuel and Lillian Pernakoff, for compensation for injuries caused by city car.

Rose Vigliotte, for compensation for injuries caused by an alleged defect in Maverick street, East Boston.

Joseph H. Ziniti, to be reimbursed for execution issued against him.

Committee on Licenses.

Petitions for licenses to operate bowling alleys on the Lord's day were received as follows:

Esto Pasquarosa, 216 Dudley street, Roxbury, Ward 8.

Columbia Recreation, Joseph Rubbico, 707 Columbia road, Dorchester, Ward 7.

West Roxbury Bowling Center, Robert G. Ross, 119 Park street, West Roxbury, Ward 20.

PERMITS FOR CHILDREN.

Petitions for children under 15 years of age to appear at places of public amusement were received as follows:

Mrs. Louis Speyer, French Center of New England, Jordan Hall, November 11.

Mrs. Mary J. S. Davis, Jordan Hall, November 7.
Armenian Choral Society of Boston, Jordan Hall, November 16.

Tributary Theatre, New England Mutual Hall, November 7, 8, and 15.

Lois Wilson Lewis, Recital Hall, November 24.

Permits granted under usual conditions.

THE NEXT MEETING.

On motion of Councilor Kinsella, the Council voted that when it adjourn it be to meet on Monday, November 24, 1947, at 2 p. m.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Andrew Martin, having been duly approved by the City Treasurer, was received and approved by the Council.

APPOINTMENT OF HENRY L. SHATTUCK.

Notice was received from the Mayor of the appointment of Henry L. Shattuck, 84 Beacon street, to be member of Board of Recreation for term expiring April 30, 1952, *vice* Ellen H. Gleason, term expired.

Placed on file.

TRACK LOCATIONS FOR METROPOLITAN TRANSIT AUTHORITY.

Notice was received from the Public Utilities Department of permission granted the Metropolitan Transit Authority to construct, maintain, and use an alteration of and addition to existing locations for railways tracks on East Second street, South Boston, westerly of Farragut road.

Notice was received from the Public Utilities Department of approval of plan of Metropolitan Transit Authority for modification and changes in rack connections at Dudley Street Station.

Severally placed on file.

COMMUNICATIONS FROM STATE BOARD OF HOUSING.

A communication was received from the State Board of Housing approving application of City of Boston acting through Boston Housing Authority for expenditure of \$39,442 for roofing and wall treatment at Columbia Village, South Boston.

A communication was received from the State Board of Housing approving application of City of Boston acting through Boston Housing Authority for expenditure of \$163.63 covering erection of chain link fence at Alsen Village, Boston.

A communication was received from the State Board of Housing approving plans, layout, estimated cost, proposed method of financing, and detailed estimate of expenses and revenue of Veterans' Housing Project of City of Boston, at Readville, Hyde Park district, consisting of 66 dwelling units at estimated cost of \$741,940.

A communication was received from the State Board of Housing of approval of plans, layout, estimated cost, proposed method of financing, and detailed estimate of expenses and revenue of Veterans' Housing Project of City of Boston, on Cottage street and Wolcott road, Hyde Park, consisting of 76 dwelling units at estimated cost of \$857,983.

A communication was received from the State Board of Housing of approval of plans, layout, estimated cost, proposed method of financing, and detailed estimate of expenses and revenue of Veterans' Housing Project of City of Boston on River street, Mattapan, Contract No. 6, consisting of 34 dwelling units at estimated cost of \$404,285.

Severally placed on file.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. MORIARTY, for the Committee on Public Lands, submitted the following:

Report on message of Mayor and order (referred September 29) transferring land and building at 201 Cabot street, formerly occupied as fire station by Engine Company 13, from Fire Department to Public Buildings Department—that same ought to pass.

Report accepted; said order passed.

SALE OF LAND IN FRANKLIN PARK TO WHITE FUND.

On motion of Councilor Moriarty it was voted to take up under unfinished business, No. 1 on the Calendar, viz.:

1. Order for sale of land in Franklin Park to George Robert White Fund for \$20,000. On October 27, 1947, the foregoing order was read once and passed, yeas 19, nays 0.

The question came on giving the order a second reading and passage, and the order was given its second reading and passage, yeas 15, nays 0:

Yeas—Councilors Bayley, Carey, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linchan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—15.

Nays—0.

ACQUISITION OF EASTERN AVENUE WHARF.

By direction of the President, the Council took from the Calendar, under unfinished business, No 2, viz.:

2. Order for appropriation of \$75,000 for acquisition of Eastern Avenue Wharf. On October 27, 1947, the foregoing order was read once and passed, yeas 15, nays 0.

The question came on giving the order a second reading and passage, and the order was given its second reading and passage, yeas 15, nays 0:

Yeas—Councilors Bayley, Carey, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—15.

Nays—0.

Coun. HURLEY in the chair.

VOTING BY PERSON WHOSE NAME HAS ALREADY BEEN VOTED UNDER.

Coun. SULLIVAN offered the following:

Ordered, That the Election Commission be requested through his Honor the Mayor, to instruct all precinct officers in all future elections that any voter coming into the polls to vote whose name has already been voted under be allowed to vote after he has shown proper identification.

Passed under suspension of the rules.

CERTAIN PROCEDURES OF DEPARTMENT OF FORECLOSED REAL ESTATE.

Coun. SULLIVAN offered the following:

Ordered, That his Honor the Mayor be requested to acquaint himself with the procedure used by the Department of Foreclosed Real Estate in the granting of abatements for rent and in the granting of contracts for cleaning vacant city-owned land under their jurisdiction.

Passed under suspension of the rules.

DELAY IN CONSTRUCTION OF COLUMBUS AVENUE.

Coun. MORIARTY offered the following:

Ordered, That his Honor the Mayor confer with the Public Works Commissioner to the end that

an explanation be given for the delay in construction of that stretch of roadway between Eggleston square and Jackson square on Columbus avenue, Roxbury.

Passed under suspension of the rules.

EXPEDITE CONSTRUCTION OF STREETS, WARD 17.

Coun. KEENAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to instruct the John Deveney Construction Company to complete the construction of Clearwater Drive and Paula road, in Ward 17, by December 31, 1947, in accordance with the terms of their contract; and be it further

Ordered, That the City Auditor be requested to submit to the City Council a report of the amount of work that the Deveney Company has done for the city during 1946 and 1947 and the number of contracts that they now hold which have not been completed.

Passed under suspension of the rules.

REGRET AT RESIGNATION OF MRS. EVA WHITING WHITE.

Coun. LINEHAN offered the following:

Resolved, That the Boston City Council, in meeting assembled, hereby expresses its deep and genuine regret because of the resignation of Mrs. Eva Whiting White as a member of the Boston Housing Authority and wishes to extend to her its sincere appreciation for her years of faithful, intelligent, and distinctive service to the City of Boston in various capacities; and be it further

Resolved, That it is the earnest wish of the City Council that her exceptional ability will be recognized by her appointment to higher and more responsible positions for which she is eminently qualified; and be it further

Resolved, That a copy of this resolution be forwarded to Mrs. Eva Whiting White.

Passed under suspension of the rules.

RECESS.

By direction of Chairman Hurley the Council took a recess at 5.30 p.m., and on motion of Councilor Hannon the Executive Session was held in the chamber, and Chairman Hurley designated himself as chairman of the Executive Session. The members reassembled at 5.35 p. m. and were called to order by Chairman Hurley.

On motion of Councilor Hannon the Council adjourned at 5.40 p.m., to meet on Monday, November 24, 1947, at 2 p.m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

SPECIAL MEETING.

Wednesday, November 19, 1947.

A special meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, November 19, 1947, at 1 p. m., President KELLY in the chair.

Absent, Councilors Coffey, Cook, Fisb, Lane, Madden, Moriarty, and Scannell.

The meeting was opened with the salute to the Flag.

The meeting was held pursuant to the following call:

City of Boston,
Office of the City Clerk, November 19, 1947.

A special meeting of the City Council will be held in its Chamber, City Hall, on Wednesday, November 19, 1947, at 1 o'clock p. m.

By order of the Court,

W. J. MALLOY,
Assistant City Clerk.

Subject: To Draw Jurors.

Coun. KINSELLA in the chair.

JURORS DRAWN.

Jurors were drawn, Councilor Linehan presiding at the ballot box in the absence of the Temporary Mayor, as follows:

One hundred twenty-five additional jurors, Superior Criminal Court, to appear December 2, 1947:

James A. Boyd, Ward 1; George F. Bray, Ward 1; William H. Carey, Ward 1; James T. Connelly, Ward 1; Frederick W. Lofgren, Ward 1; Francesco Lotti, Ward 1; Peter J. Powers, Ward 1; Frederick B. Teed, Ward 1; William J. Wessling, Ward 1; Bernard F. Corbett, Ward 2; Otto Ekstein, Ward 3; Gastano Narino, Jr., Ward 3; Joseph Pucci, Ward 3; Edward E. Devlin, Ward 4; George A. Fucillo, Ward 4; Victor Mondello, Ward 4; Jacob G. Rosenberg, Ward 4; James D. Buckley, Ward 5; Walter Dubina, Ward 5; Philip B. MacAllister, Ward 5; Matthew J. Beechinor, Ward 6; Vincent S. Davis, Ward 6; Thomas F. Miller, Ward 6; John J. Collins,

Ward 7; Stephen Dillis, Ward 7; Harry J. Mullen, Ward 7; James F. O'Brien, Ward 7; Bartholomew T. Trayers, Ward 7; Joseph P. Wade, Ward 7; Wallace M. Yates, Ward 7; Andrew Corigliano, Ward 8; Joseph A. McMabon, Ward 8; Arthur M. Cochis, Ward 9; Edward J. Dargan, Ward 9; Patrick A. Donobue, Ward 9; William J. Galvin, Ward 9; William J. Grant, Ward 9; Thomas F. Hennessey, Ward 9; Leon G. Lomax, Ward 9; Patrick John Derrane, Ward 10; Timotby Foley, Ward 10; Patrick O'Meara, Ward 10; John Tucker, Ward 10; Frank J. Walentin, Ward 10; John J. Greeley, Ward 11; Henry J. Guay, Ward 11; Joseph F. Kelley, Ward 11; Edmund F. Trotter, Ward 11; Moses Falthzik, Ward 12; Lewis F. Galer, Ward 12; William O'Brien, Ward 12; Winslow Rouse, Ward 12; David Rudin, Ward 12; Myron P. Silverstein, Ward 12; Nathan Snyder, Ward 12; Samuel Duby, Ward 13; John J. Gibbons, Ward 13; Walter V. Kearney, Ward 13; Patrick McCarthy, Ward 13; John J. Murphy, Ward 13.

Philip Davidson, Ward 14; Harold M. Clarke, Ward 14; Abraham M. Green, Ward 14; Benjamin Joseph, Ward 14; William Kritzman, Ward 14; Benjamin Lerman, Ward 14; Edward Liberman, Ward 14; Louis Lifshicz, Ward 14; Paul Lipnick, Ward 14; George Marcus, Ward 14; Irving Nyer, Ward 14; Irving Portnoy, Ward 14; Jacob Poverman, Ward 14; Morris Schwartz, Ward 14; Hyman N. Snyder, Ward 14; William R. Williams, Ward 14; Thomas J. Harvey, Ward 15; Louis L. Keating, Ward 15; Lawrence A. Rusb, Ward 15; Lloyd F. Davis, Ward 16; Hugh J. Douglas, Ward 16; John J. Gillon, Ward 16; James Kilduff, Ward 16; Joseph P. McGowan, Ward 16; William J. Mullins, Ward 16; Raymond E. Robinson, Ward 16; Max Albert, Ward 17; Harry V. Clays, Ward 17; Edmond J. DeRoy, Ward 17; John F. D. Johnston, Ward 17; Ralph S. Straple, Ward 17; Frank Thomas, Ward 17; Harold Trachtenberg, Ward 17; Milton G. Bright, Ward 18; Anthony V. Fasulo, Ward 18; Daniel T. Galvin, Ward 18; Carl G. Gebhardt, Ward 18; Thomas S. Larkin, Ward 18; Ralpheal Melito, Ward 18; Frederick F. O'Brien, Ward 18; Peter Ripaldi, Ward 18; Arthur W. Stanley, Ward 18; Eugenio Travasso, Ward 18; Edward A. Wessling, Ward 18; William J. Orthman, Ward 19; John J. Wilson, Ward 19; James F. Donahue, Ward 20; Frank M. Gray, Ward 20; George H. Kraneffuss, Ward 20; Norman Leonard, Ward 20; William J. Neill, Ward 20; John K. Maynard, Ward 20; Edward C. Walshe, Ward 20; Walter C. Carr, Ward 21; Maurice Greenman, Ward 21; Louis Horvitz, Ward 21; William H. Nason, Ward 21; Hyman Joseph Factor, Ward 21; Walter J. Slamin, Ward 21; Willis Otis Wheeler, Ward 21; Peter Joseph Clifford, Ward 22; Patrick Hickey, Ward 22; Paul I. Mann, Ward 22; Cornelius W. Shea, Ward 22; Hyman G. Stickler, Ward 22.

The purpose of the meeting having been accomplished, Chairman Kinsella declared the meeting adjourned at 1.40 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 24, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Carey, Kinsella, and Scannell.

The meeting was opened with the salute to the Flag.

Coun. McCORMACK in the chair.

APPOINTMENTS BY THE MAYOR.

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

Constable, for the term ending April 30, 1948, authorized to serve civil process upon filing of bond: Theodore Joseph Zaborski, 21 Hubbardston road, Dorchester.

Constable, for term ending April 30, 1948, authorized to serve civil process upon filing of bond: Henry Thomas Reid, 118 Redlands road, West Roxbury.

Severally referred to the Committee on Constables and Confirmations.

PUBLICATION OF UP-TO-DATE STREET BOOKS.

The following was received:

City of Boston,

Office of the Mayor, November 24, 1947.

To the City Council.

Gentlemen,—I transmit herewith replies from the Chairman of the Board of Street Commissioners and the Superintendent of the Printing Department relative to your order of October 20, 1947, concerning the publishing of 1,000 up-to-date street books.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,

Printing Department, November 30, 1947.

J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—In reply to your communication of October 22, 1947, relative to an order passed in the City Council October 20, 1947, for the printing of 1,000 up-to-date street books, I wish to say that the Printing Department will be pleased to render all assistance possible in the printing of these street books.

Very truly yours,

JOHN J. TWOMEY,
Superintendent.

—

City of Boston,

Board of Street Commissioners,
October 28, 1947.

J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—Replying to your communication of October 22, 1947, together with Council order dated October 20, 1947, reading,

"Ordered, That his Honor the Mayor direct the Superintendent of Printing and the Board of Street Commissioners to publish 1,000 up-to-date street books," it would appear advisable to have said order redrawn.

The street book known as "Boston's Streets" is an official publication. To prepare this book for the printer is no small job. It requires tedious and painstaking work on the part of our employees. It will take plenty of time, and, because we have lost the services of the men experienced in this particular work, excepting one individual, it may necessitate charges for overtime work.

For guidance in the new draft, reference may be made to the order printed on one of the front pages of the 1944 book, changing the dates to conform with the date of the order.

Very truly yours,

CHARLES E. MANTON,
Chairman.

Placed on file.

SOUTH BOSTON MUNICIPAL GYMNASIUM.

The following was received:

City of Boston,

Office of the Mayor, November 24, 1947.

To the City Council.

Gentlemen,—I transmit herewith copies of replies from the Commissioner of Public Buildings and the Chairman of the Park Department relative to your order of October 6, 1947, concerning the speeding up of the work of equipping the South Boston Municipal Gymnasium.

Respectfully yours,

J. B. HYNES,
Temporary Mayor.

City of Boston,

Park Department, October 30, 1947.

J. Joseph Connors,

Chief Clerk, Office of the Mayor.

Dear Sir,—I am in receipt of your memorandum of October 8, with inclosure, order of the City Council requesting the Commissioner of Public Buildings and the Park Commissioner to speed up the work of equipping the South Boston Municipal Gymnasium with athletic equipment and proper shower facilities so that the gymnasium will be in proper condition for use during the fast-approaching fall and winter season.

I have talked the matter over with the Commissioner of Public Buildings, who is in charge of construction of municipal buildings, including the gymnasium, and he has agreed to ask for funds in next year's budget to make certain changes in the gymnasium, particularly in providing additional shower facilities.

I have made up a list of gymnastic equipment necessary to properly operate this building. The estimated cost of such gymnastic equipment is \$3,000. In order to provide this equipment, it probably will be necessary to make a transfer of funds, or find some other means of providing money to buy this equipment.

Very truly yours,
JOHN J. MURPHY, Chairman.

City of Boston,

Public Buildings Department,
November 24, 1947.

J. Joseph Connors,

Chief Clerk, Office of the Mayor.

Dear Sir,—Referring to the order presented to the City Council by Councilors Scannell and Linehan, requesting that the work on the South Boston Gymnasium be expedited, I would advise as follows.

A. Piotti, who had the general contract, completed his contract on August 5, 1947. This contract had no provisions for installing shower facilities, lockers, or proper grills on windows to enable gymnasium to be used. Also there was no basketball equipment, baskets, backboards, etc. As soon as A. Piotti's interest in building ceased, contracts were let out for lockers, for installation of basketball equipment, and still another for arranging showers in shower room for the convenience of those using the gymnasium.

The contract for basketball equipment was let out to Johnson Construction Company on September 9, 1947, the contract for remodeling showers was let out to Rossano Construction Company on October 14, 1947, and the contract for grills was let out to P. J. Dinn Company on October 31.

Due to the difficulty in obtaining materials and despite our urging the contractor to rush this work and make every effort to obtain material, it looks now as though the gymnasium will not be available until December 15, 1947, at the earliest.

Respectfully yours,

JAMES E. SULLIVAN,
Superintendent of Public Buildings.

Placed on file.

RECONSTRUCTION OF WASHINGTON STREET SIDEWALKS.

The following was received:

City of Boston,
Office of the Mayor, November 17, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to your order of October 6, 1947, concerning the reconstruction of sidewalks along Washington street, from Forest Hills to Roslindale square.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department,
November 14, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.
Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works reconstruct the sidewalks along Washington street, from Forest Hills to Roslindale square, and this will advise you that it is too late in the season to advertise this work.

This department is now considering the reconstruction of Washington street, from Forest Hills to Roslindale square, and at the time the street is resurfaced the sidewalks will be attended to.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

TIME SCHEDULES ON MORTON STREET BUS LINE.

The following was received:

City of Boston,
Office of the Mayor, November 17, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Metropolitan Transit Authority relative to your order of October 27, 1947, concerning time schedules on the Morton Street bus line.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

Metropolitan Transit Authority,
November 10, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.

Dear Sir,—In reply to your letter, with copy of order of the City Council relative to proposed 15-minute headway on the Morton Street-Gallivan Boulevard-Ashmont Station bus line, counts taken of passengers at the maximum load point on the line are shown in the following tabulation, together with the average number of passengers per bus on the present 10-minute headway and what the average number of passengers per bus would be on a 15-minute headway:

Inbound	Total Passengers	Average Per Bus, 10-minute Headway	Average Per Bus, 15-minute Headway
9.30 a.m.-10.00 a.m.	70	23	35
10.00 a.m.-10.30 a.m.	51	17	26
10.30 a.m.-11.00 a.m.	52	17	26
11.00 a.m.-11.30 a.m.	63	21	32
11.30 a.m.-12.00 m.	51	17	26
12.00 M.-12.30 p.m.	45	15	23
12.30 p.m.-1.00 p.m.	65	22	33
1.00 p.m.-1.30 p.m.	41	14	21
1.30 p.m.-2.00 p.m.	63	21	32

The tabulation indicates that a 15-minute headway will be adequate to meet the riding requirements on the line at the present time, but the riding will be watched and further adjustment made in the service, if necessary.

Very truly yours,
EDWARD DANA,
General Manager.

Placed on file.

NEW STAIRWAY, JOHNSWOOD ROAD-SHERWOOD STREET.

The following was received:

City of Boston,
Office of the Mayor, November 18, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, relative to your order of October 27, 1947, concerning the installing of a new stairway from Johnswood road to Sherwood street, Ward 19.

Respectfully yours,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Public Works Department,
November 14, 1947.

Mr. J. Joseph Connors,
Chief Clerk, Mayor's Office.
Dear Sir,—I return herewith order in City Council that the Commissioner of Public Works install a new stairway, from Johnswood road to Sherwood street, Ward 19, and this will advise you that the existing Johnswood Road Footway is entirely adequate for pedestrian traffic between these two streets.

The present footway is in need of some minor repairs which will be attended to in the near future.

Very truly yours,
ROBERT P. CURLEY,
Commissioner of Public Works.

Placed on file.

GIFT OF CHAPEL, DEER ISLAND, FROM MAXWELL B. GROSSMAN.

The following was received:

City of Boston,
Office of the Mayor, November 24, 1947.
To the City Council.

Gentlemen,—I send you herewith an order for the acceptance of a gift by Maxwell B. Grossman, Penal Institutions Commissioner, of a chapel at the House of Correction, Deer Island, where persons of the Jewish religion may worship.

The construction of this chapel has been made possible through the generosity of Colonel Grossman to meet the need of persons of the Jewish faith who, up to this time, have had no place of worship at Deer Island.

In addition to bearing the full construction cost of the chapel, Colonel Grossman is also prepared to establish a \$5,000 nondenominational trust fund, the income of which will be used to defray incidental expenses incurred by the Catholic, Protestant, or Jewish clergy in their respective chapels at the island.

In presenting this chapel to the city, Colonel Grossman is exhibiting a spirit of generosity which is deserving of the highest praise. I recommend that your Honorable Body accept this gift by the passage of the accompanying order.

Respectfully,
J. B. HYNES,
Temporary Mayor.

City of Boston,
Penal Institutions Department,
November 19, 1947.

Hon. John B. Hynes,
Temporary Mayor of Boston.

Dear Sir,—For a long time I have recognized the need for a chapel where Jewish inmates of the House of Correction, Deer Island, may worship. I have arranged for the installation of such a chapel, at no expense of any kind to the city, in the Prison Hill Building, which now houses the Catholic and Protestant chapels. The chapel is now completed and is hereby presented to the City of Boston.

Also realizing that the maintenance of the chapel may be an added cost to the city, and knowing that a place of worship is essential to the welfare of all human beings, I intend to establish a five thousand dollar (\$5,000) nondenominational trust fund. The money from this fund will be used to defray incidental expenses incurred by the Catholic, Protestant, or Jewish clergy in their respective chapels. I intend, with your permission, to ask the City Law Department to prepare the proper legal documents for the administration of such a fund.

I respectfully ask that this chapel be named "Beth Isaac Memorial Chapel," in honor of my late parents, Rabbi Isaac Grossman and Mrs. Rebecca Grossman, and that my gift of this place of worship be accepted by the city.

Thanking you for all your cooperation in the matter and hoping to have this acted upon by the Honorable City Council, I am

Respectfully yours,
 MAXWELL B. GROSSMAN,
 Penal Institutions Commissioner.

Ordered, That the gift generously provided by Maxwell B. Grossman, Penal Institutions Commissioner, of a chapel in connection with the House of Correction at Deer Island, where persons of the Jewish religion may worship, is hereby accepted by the City of Boston, and the said chapel is named "Beth Isaac Memorial Chapel."
 Referred to the Executive Committee.

APPROPRIATION FROM PARKMAN FUND.

The following was received:

City of Boston,
 Office of the Mayor, November 24, 1947.
 To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners, requesting the appropriation of \$20,000 from the income of the George F. Parkman Fund, to be expended under the direction of the Board of Park Commissioners, for the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887.

The 1947 budget estimates of the personal service requirements of the Park Department included an estimate of the total income of \$180,000 from the Parkman Fund. The hudget allowances made provision for the appropriation of this income as it accrued for the purpose of defraying the cost of work actually performed on the Common and Parks in Existence on January 12, 1887.

I submit herewith an order appropriating the sum of \$20,000, the accrued income now available from the Parkman Fund, and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
 J. B. HYNES,
 Temporary Mayor.

City of Boston,
 Park Department, November 14, 1947.
 Hon. John B. Hynes,
 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 \$20,000, which is now available, to be expended under the direction of the Board of Park Commissioners, as follows:

Common and Parks in Existence on January 12, 1887, Maintenance and Improvement of.....	<u>\$20,000</u>
--	-----------------

When making up the hudget estimates for the year 1947, 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 1947, to be transferred as it accrued from time to time during the year to the regular maintenance appropriation of the Park Department.

Very respectfully yours,
 JOHN J. MURPHY, Chairman.

Ordered, That the sum of twenty thousand dollars (\$20,000) be, and hereby is, appropriated from the income of the George F. Parkman Fund, to be expended under the direction of the Park Commissioners, for the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887, as follows:

Common and Parks in Existence on January 12, 1887, Maintenance and Improvement of.....	<u>\$20,000</u>
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Referred to Committee on Parkman Fund.

TRANSFERS OF APPROPRIATIONS.

The following was received:

City of Boston,
 Office of the Mayor, November 24, 1947.
 To the City Council.

Gentlemen,—The enclosed requests for transfer of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
 J. B. HYNES,
 Temporary Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor he, and hereby is, authorized to transfer:

From the appropriation for Jail, A-1, Permanent Employees, \$408.28, to the appropriation for Associate Medical Examiner Service, Southern Division, A-1, Permanent Employees, \$408.28.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor he, and hereby is, authorized to transfer:

From the appropriation for Jail, A-1, Permanent Employees, \$628.28, to the appropriation for Associate Medical Examiner Service, Northern Division, A-1, Permanent Employees, \$408.28; A-2. Temporary Employees, \$70; B-4, Transportation of Persons, \$150.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor he, and hereby is, authorized to transfer:

From the appropriation for Jail, A-1, Permanent Employees, \$341.72, to the appropriation for Medical Examiner Service, Southern Division, A-1, Permanent Employees, \$341.72.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Jail, A-1, Permanent Employees, \$190, to the appropriation for Medical Examiner Service, Northern Division, A-1, Permanent Employees, \$190.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor he, and hereby is authorized to transfer:

From the appropriation for Special Appropriations, Reserve Fund, \$25,000, to the appropriation for Special Appropriations, Contingent Fund, \$25,000.

Severally referred to the Executive Committee.

PETITIONS REFERRED.

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

Claims.

James A. Addalino, for compensation for damage to truck by dump truck.

Jesse J. Alves, to be reimbursed as result of accident which occurred while in performance of duty as employee of Public Works Department.

Edward P. and Camille Bacigalupe, for compensation for damage to property at 50 Lila road, Jamaica Plain, caused by defective catch-basins.

Ruth I. Berry, for compensation for injuries caused by an alleged defect in Franklin street.

Boston Catholic Cemetery Association, for compensation for damage to property at New Calvary Cemetery, caused by police car.

Edward J. Bradanese, for compensation for damage to car in Sumner Tunnel.

Theodore Braverman, for compensation for damage to car by city car.

Mary Jane Clark, for compensation for injuries caused by an alleged defect in Franklin Park.

Walter F. Coleman, to be reimbursed as result of accident which occurred while in performance of duty as employee of Fire Department.

Gabriel B. Costa, for compensation for damage to car by city truck.

Charles E. Dennehey, for compensation for eyeglasses broken while engaged in chopping tree roots at 39 and 41 Coleman street.

James J. Dillon, to be reimbursed as result of accident which occurred while in performance of duty as employee of Fire Department.

William J. Doherty, for compensation for damage to car by car of Traffic Commission.

Agnes F. Fennelly, for compensation for injuries caused by an alleged defect at Newbury and Fairfield streets.

John J. Guerin, Jr., for compensation for damage to car by city vehicle.

Margaret Harrington, for compensation for damage to property at 67 Washington street, Charlestown, caused by balls thrown from Emmons Playground.

Rev. Edward S. Harrison, for compensation for damage to car by ladder truck.

John E. Hayes, for compensation for damage to car by fire apparatus.

Hub Cycle and Radio Company, for compensation for damage to property at 594 and 596 Commonwealth avenue, caused by break in water pipes.

Charles Kallas, for compensation for damage to property at 1173-1181 Washington street, caused by cellar being flooded.

Albert S. Kasarjian, for compensation for damage to property at 222 Belgrade avenue, caused by defective sewerage system.

Morris L. Levy, for compensation for damage to property at 146 Sutherland road, Brighton, caused by backing up of sewage.

Charles Logue Building Company, for rebate on building permit.

Francis D. Long, for compensation for damage to property at 85 Babson street, Mattapan, caused by water from street.

William J. Lyons, to be reimbursed as result of accident which occurred while in performance of duty as employee of Public Works Department.

Michael Mainiero, for compensation for damage to hot water boiler at 331 East Eagle street, caused by water being shut off.

Emma Mannis, for compensation for injuries caused by an alleged defect at 1706-1710 Commonwealth avenue.

Carleton W. Mayer, to be reimbursed for execution issued against him.

Mrs. John McManus, for compensation for injuries caused by an alleged defect at 18 Boylston street.

James K. Nickerson, to be paid accrued step-rates due him as employee of Public Works Department.

Evelyn Nurse, for compensation for injuries caused by an alleged defect at 117 Worcester street.

Oriel Parlor Frame Company, for compensation for damage to property at 126 Linden Park street, caused by backing up of sewage.

Paul L. Page, to be paid accrued step-rates due him as employee of Public Works Department.

Carmela M. Piazzolla, for compensation for injuries caused by an alleged defect at Bushnell street and Radford lane.

Prince Spaghetti House, Inc., for compensation for damage to property caused by backing up of sewage.

Louis Raskin, for compensation for damage to property at 1156 Commonwealth avenue, caused by defective catch-basins.

Mrs. Charles Richards, for compensation for damage to property at 65 P street, caused by street equipment.

Margaret T. Ryan, for compensation for damage to property at 25 Athens street, caused by fire apparatus.

Walter A. Salisbury, for compensation for damage to car by city truck.

Rodolph Turino, for compensation for damage to car by city truck.

William H. Weinberger, for compensation for damage to property at 1140 Commonwealth avenue, caused by water from cellar.

Nancy S. Wendell, for compensation for damage to property at 1082 Commonwealth avenue, caused by defective catch-basins.

Edward J. Hughes, for compensation for damage to property at 1556 Tremont street, caused by defective sewer.

Committee on Licenses.

Petitions to operate bowling alleys on the Lord's Day:

Codman Square Bowlway, Harry F. Hamarian, 649 Washington street, Dorchester, Ward 17.

Crawford Bowling Alleys, Victor N. Mochi, 15 Hanover street, Ward 3.

Richard Henry, 20A Harvard avenue, Allston, Ward 21.

SECRETARY OF TRAFFIC COMMISSION.

Notice was received from the Traffic Commission certifying that William T. Doyle was appointed permanent secretary to the commission on January 3, 1945, and he is still the permanent secretary to the commission.

Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from W. H. Ellis, member of the Board of Appeal, of his interest in contract to be performed by W. H. Ellis & Son Company for the Bridge and Ferry Division of the Department of Public Works.

Placed on file.

ALTERATIONS AT FIELDS CORNER, ASH-MONT AND ANDREW STATIONS.

Notice was received from the Public Utilities Department of authorization given the Transit Department to enter into contract with Metropolitan Transit Authority to perform certain work in connection with the alterations to be made at the Fields Corner, Ashmont, and Andrew Stations.

Placed on file.

REPORTS OF EXECUTIVE COMMITTEE.

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

Report on message of the Mayor and five orders (referred November 10) for transfers of appropriations—that same ought to pass.

Report on message of Mayor and order (referred November 10) appropriating \$41,352.21 from income of Printing Department to meet current expenses—that same ought to pass.

Report on message of Mayor and order (referred November 10) that \$31,790 be appropriated from World War Memorial Park, Special Reserve Account, to be expended under direction of Park Department, for park and playground improvements—that same ought to pass.

Report on message of Mayor and order (referred November 10) appropriating \$750 from Contingent Fund to be expended under direction of Board of Zoning Adjustment in connection with general rezoning study—that same ought to pass.

The reports were accepted, and the question came on the passage of the orders, and the orders were severally passed, yeas 13, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Coffey, Hannon, Hurley, Keenan, Kelly, Linehan, McCormack, Moriarty, Russo, Sullivan—13.

Nays—0.

LOAN OF \$7,000,000 FOR LOW-INCOME HOUSING DEVELOPMENTS.

On motion of Councilor Linehan it was voted to take up, under unfinished business, No. 3 on the Calendar, viz.:

3. Order for loan of \$7,000,000 for low-income housing developments on so-called Cathedral and South Boston sites. On November 10, 1947, the foregoing order was read once and passed, yeas 15, nays 0.

The question came on giving the order a second reading and passage. The order was given its second reading and passage, yeas 18, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—18.

Nays—0.

RESCISSION OF \$7,000,000 LOAN FOR LOW-INCOME HOUSING.

On motion of Councilor Sullivan it was voted to take up, under unfinished business, No. 2 on the Calendar, viz.:

2. Order to rescind loan order for \$7,000,000, which was approved by the Temporary Mayor on August 21, 1947. On November 10, 1947, the foregoing order was read once and passed, yeas 16, nays 0. The question came on giving the order a second reading and passage. The order was given its second reading and passage, yeas 16, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Keenan, Lane, Linehan, Madden, McCormack, Moriarty, Russo, Sullivan—16.

Nays—0.

Voting Present—Councilors Hurley, Kelly—2.

LOAN OF \$3,000,000 FOR LOW-INCOME HOUSING DEVELOPMENT.

On motion of Councilor Sullivan it was voted to take up, under unfinished business, No. 1 on the Calendar, viz.:

1. Order for loan of \$3,000,000 for low-income housing development on so-called Cathedral site. On November 10, 1947, the foregoing order was read once and passed, yeas 15, nays 0.

Councilor Linehan's motion to lay the order on the table was lost, yeas 2, nays 8:

Yeas—Councilors Keenan, Linehan—2.

Nays—Councilors Coffey, Cook, Fish, Hurley, Kelly, Lane, McCormack, Sullivan—8.

Voting Present—Councilors Bayley, Bryan, Chase, Madden, Russo—5.

President KELLY in the chair.

The question came on giving the order a second reading and passage. The order was given its second reading and passage, yeas 16, nays 0:

Yeas—Councilors Bayley, Bryan, Chase, Coffey, Cook, Fish, Hannon, Hurley, Kelly, Lane, Madden, McCormack, Moriarty, Muchnick, Russo, Sullivan—16.

Nays—0.

Voting Present—Councilors Keenan, Linehan—2.

SURVEY BY FINANCE COMMISSION RE CONSOLIDATION OF DEPARTMENTS, ETC.

Coun. SULLIVAN offered the following:

Ordered, That the Finance Commission be requested, through his Honor the Mayor, to request an additional \$50,000 in their 1948 budget for the purpose of making a survey of the following-named departments with a view to consolidating some of them: the Public Works Department and the Street Laying-Out Department, the Auditor's Department, the Treasurer's Department and the Collector's Department; and be it further

Ordered, That the Finance Commission make a survey of the Foreclosed Real Estate Department with a view to consolidating this department with the Auditor's, Treasurer's and Collector's Departments.

On motion of Councilor Madden the order was amended to include the Board of Assessors in the consolidation of the Auditor's, Treasurer's and the Collector's Departments.

The order as amended was passed under the suspension of the rules.

INCREASED WAGES IN 1948 BUDGET.

Coun. SULLIVAN offered the following:

Ordered, That all heads of departments be directed, through his Honor the Mayor, to include in their 1948 budgets a 20 per cent increase for all employees under their supervision,

Passed under suspension of the rules.

CHECKERS TO SUPERVISE REMOVAL OF SNOW BY CONTRACTORS.

Coun. SULLIVAN offered the following:

Ordered, That the Finance Commission be directed, through his Honor the Mayor, to include an additional \$25,000 in their 1948 budget for the purpose of employing checkers to supervise the removal of snow by contractors.

Passed under suspension of the rules.

LEASE TO WILLIAM E. CARTER POST 16.

Coun. SULLIVAN offered the following:

Ordered, That the Superintendent of Public Buildings be hereby authorized to lease the building at 201 Cabot street, corner of Whittier street, formerly used as a fire station, to the William E. Carter Post 16 of the American Legion, for a nominal consideration, for a term of five years, and on such conditions as said superintendent may deem necessary.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment (referred October 27) of Alfred N. Foley, to be a Weigher of Goods—recommending that appointment be confirmed.

The report was accepted, and the question came on confirmation. Committee, Councilors Madden and Russo. Whole number of ballots 13, yeas 13, and the appointment was confirmed.

FOOTBALL OFFICIALS, 1948 PARK LEAGUE GAMES.

Coun. KEENAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to assign competent and experienced football officials to supervise the games in the Park League during 1948.

Referred to Committee on Parks and Playgrounds.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. MORIARTY, for the Committee on Public Lands, submitted the following:

Report on message of Mayor and order (referred June 30) for release of rights over private way, in Pondmere road, Jamaica Plain—that same ought to pass.

The report was accepted, and the order was read once and passed, yeas 15, nays 0:

Yeas—Councilors Bayley, Bryan, Chase, Fish, Hannon, Hurley, Keenan, Kelly, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—15.

Nays—0.

The order will take its second reading and passage in not less than 14 days.

INCREASE FOR EMPLOYEES NOT PREVIOUSLY RECEIVING \$200 INCREASE.

Coun. MORIARTY, HANNON, BRYAN and SULLIVAN offered the following:

Ordered, That his Honor the Mayor confer with the Budget Commissioner to the end that an adjustment in compensation be made to those City of Boston employees who failed to receive the \$200 increase as publicly advertised early this year.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON LICENSES.

Coun. HURLEY, for the Committee on Licenses, submitted the following:

Report on petition to operate bowling alleys on the Lord's Day of Esto Pasquarosa, 216 Dudley street, Roxbury (referred November 10)—recommending that license be granted.

Report accepted; license granted under usual conditions.

MAINTAINING PRESENT LEVEL OF RENTS TO OLD AGE ASSISTANCE RECIPIENTS.

Coun. SULLIVAN, for Councilor Kinsella, offered the following:

Ordered, That his Honor the Mayor be requested to confer with the Boston Licensing Board for the purpose of keeping at the present level the rents charged by licensed owners to recipients of Old Age Assistance benefits, etc.

Passed under suspension of the rules.

PROPOSED INCREASED VALUATION ON
CERTAIN PROPERTY.

Coun. SULLIVAN, for Councilor Kinsella, offered the following:

Ordered, That his Honor the Mayor be requested to confer with the Board of Assessors for the purpose of increasing substantially the valuation on property owned by licensed lodging house operators who increase rents in the case of any recipient of Old Age Assistance or other forms of welfare aid where it is known that the tenant's Old Age Assistance grant or other increased grants in public aid have been made to the tenant.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON
PARKMAN FUND.

Coun. LANE, for the Committee on Parkman Fund, submitted the following:

Report on message of Mayor and order (referred today) appropriating \$20,000 from income of Parkman Fund to be expended under direction of Park Commissioners—that same ought to pass.

The report was accepted, and the order was passed, yeas 14, nays 0:

Yeas—Councilors Bayley, Bryan, Chase, Fish, Hannon, Keenan, Kelly, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—14.

Nays—0.

40-HOUR WEEK FOR DEER ISLAND
EMPLOYEES.

Coun. McCORMACK, HANNON and BRYAN offered the following:

Ordered, That the Penal Commissioner be directed, by his Honor the Mayor, to make the provisions of chapter 649 of the Acts of 1937, "An Act Authorizing a 40-Hour Week for Employees of Certain Cities and Towns," applicable to the employees working at Deer Island.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Chase, the Council voted to take a recess at 4.05 p. m., subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 4.15 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) accepting gift of Maxwell B. Grossman, Penal Institutions Commissioner, of chapel in connection with House of Correction at Deer Island, where persons of Jewish religion may worship, said chapel to be named "Beth Isaac Memorial Chapel"—that same be passed.

The report was accepted, and the question came on the passage of the order. On motion of Councilor Hannon a roll call vote was taken as a tribute to Commissioner Grossman's generosity, and the order was passed, yeas 14, nays 0:

Yeas—Councilors Bayley, Bryan, Chase, Fish, Hannon, Hurley, Keenan, Kelly, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—14.

Nays—0.

Coun. KEENAN'S motion that a rising vote of thanks be given to Commissioner Grossman was carried unanimously.

2. Report on petition of Mary E. Shields (referred August 4) to be paid annuity on account of death of her husband, Edward F. Shields, late member of Police Department—recommending passage of accompanying order:

Ordered, That under the provisions of section 89 of chapter 32 of the General Laws, an annuity of one thousand dollars be allowed and paid to Mary E. Shields, widow of Edward F. Shields, a member of the Police Department, who died on July 9, 1947, 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 July 9, 1947, and to be charged to the appropriation for Police Department, Pensions and Annuities.

The report was accepted, and the order was passed.

3. Report on message of Mayor and orders (referred today) for transfers of appropriations—that same ought to pass.

The report was accepted, and the question came on the passage of the orders. The orders were passed, yeas 14, nays 0:

Yeas—Councilors Bayley, Bryan, Chase, Fish, Hannon, Hurley, Keenan, Kelly, Linehan, McCormack, Moriarty, Muchnick, Russo, Sullivan—14.

Nays—0.

On motion of Councilor McCormack, the Council voted to adjourn at 4.21 p. m., to meet on Monday, December 1, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 1, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Carey, Fish, Hurley, Madden and Sullivan.
The meeting was opened with the salute to the Flag.

NOTICE FROM MAYOR CURLEY.

The following was received:

City of Boston,
Office of the Mayor, November 28, 1947.
To the Honorable City Council and the City Clerk of Boston.

Gentlemen,—You are hereby notified that on Friday, November 28, 1947, at 9.55 a. m., I returned to active duties at City Hall, thereby terminating the period specified in chapter 580 of the Acts of 1947; and beginning with the said date I have resumed the office of Mayor for the remainder of the term for which I was elected.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

WITHDRAWAL OF JOHN C. CONLEY.

The following was received:

City of Boston,
Office of the Mayor, December 1, 1947.
To the City Council.

Gentlemen,—I am submitting this day the withdrawal of John C. Conley of 1163 Boylston street, Boston, from all further consideration for membership on the Boston Housing Authority.

Respectfully,
JAMES M. CURLEY, Mayor.

1163 Boylston Street,
Boston, Mass.

December 1, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—As of this date I am withdrawing my name from all further consideration for membership on the Boston Housing Authority.

Very respectfully,
JOHN C. CONLEY.

Placed on file.

APPOINTMENT OF JOSEPH J. BENKERT.

The following was received:

City of Boston,
Office of the Mayor, December 1, 1947.
To the City Council.

Gentlemen,—Under the provisions of section 26M of the Housing Authority of the Commonwealth (as asserted in chapter 121 of the General Laws and as amended by section 1 of chapter 484 of the Acts of 1938), I hereby appoint Joseph J. Benkert of 3 Paula road, Dorchester, to be a member of the Boston Housing Authority for the term expiring January 8, 1948, *vice* Eva Whiting White, resigned.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the appointment by his Honor, the Mayor, of Joseph J. Benkert to be a member of the Boston Housing Authority for the term expiring January 8, 1948, be, and hereby is, confirmed and approved.

Referred to Committee on Constables and Confirmations.

APPOINTMENT OF CONSTABLE.

The following was received:

City of Boston,
Office of the Mayor, December 1, 1947.
To the City Council.

Gentlemen,—Subject to the abrogation of your Honorable Body, I appoint Abraham Bornstein of 625 Warren street, Boston, Mass., to the position of Constable, for the term ending April 30, 1948, authorized to serve civil process upon filing of bond.

Respectfully,
JAMES M. CURLEY, Mayor.

Referred to Committee on Constables and Confirmations.

APPOINTMENT OF JOSEPH F. COUGHLIN.

The following was received:

City of Boston,
Office of the Mayor, November 26, 1947.
Mr. Walter J. Malloy,
Assistant City Clerk.

Dear Sir,—You are hereby notified that I have this day appointed Joseph F. Coughlin to be Chief Deputy Sealer of Weights and Measures for the City of Boston at an annual salary of \$3,200.

Respectfully,
J. B. HYNES,
Temporary Mayor.

Placed on file.

ACQUISITION OF PARKING METERS.

The following was received:

City of Boston,
Office of the Mayor, December 1, 1947.
To the Honorable City Council.

Gentlemen,—I am advised by the Boston Traffic Commission that the installation of parking meters in certain areas of the city will greatly contribute to the alleviation of the present congestion of traffic in the City of Boston. In my opinion, the city should in purchasing and installing such meters, take advantage of the provisions of the Statutes of 1947, chapter 442, which permits the acquisition of such meters without appropriation by or cost to the city. Accordingly, I recommend that your Honorable Body pass the attached order which, pursuant to the legislation I have mentioned, will authorize the purchase by the Traffic Commission of not more than 5,000 parking meters, under agreements which will provide that payment of the purchase price is to be made over a period of five years out of receipts from the said meters, without appropriation by the city.

Very truly yours,
JAMES M. CURLEY, Mayor.

Ordered, That pursuant to General Laws, chapter 40, section 22A, as inserted by Statutes of 1947, chapter 442, the Boston Traffic Commission be, and hereby is authorized to enter, from time to time, into one or more agreements for the acquisition and installation of not more than five thousand (5,000) parking meters in the aggregate, such agreements to provide that payments thereunder to the vendors of said parking meters be made over a period not exceeding five (5) years, without appropriation, from fees received for the use of such parking meters.

Referred to the Executive Committee.

ADDITIONAL APPROPRIATION FOR PUBLIC WELFARE DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, December 1, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the chairman of the Board of Overseers of the Public Welfare, in which he states that an additional appropriation of \$250,000 will be required for the balance of the year, in the relief items of the Welfare Department. This sum of \$250,000 is divided as follows:

General Relief.....	\$100,000
Aid to Dependent Children.....	75,000
Old Age Assistance.....	75,000
Total.....	<u>\$250,000</u>

This additional appropriation is necessary because of an increase in the case load and the increase in the State mandatory budget for Old Age Assistance and Aid to Dependent Children cases.

The \$250,000 requested can be secured from surplus revenue, and I am forwarding herewith an order appropriating this sum from surplus revenue, and recommend consideration and adoption by your Honorable Body.

Respectfully,
 JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$250,000 be, and the same hereby is, appropriated from surplus revenue, to be expended under the direction of the Board of Overseers of the Public Welfare, for the following purposes:

F. SPECIAL ITEMS.

9. Dependent Aid.....	\$100,000
10. Aid to Dependent Children.....	75,000
14. Old Age Assistance.....	75,000
	\$250,000

Referred to the Executive Committee.

JURORS DRAWN.

Jurors were drawn, Councilor Russo presiding at the jury box, in the absence of the Mayor, as follows:

Twenty-two grand jurors, Superior Criminal Court, to appear January 5, 1948:

William F. Walsh, Ward 2; Samuel Corrente, Ward 3; Richard A. Frees, Ward 4; Roland P. W. Hutchings, Ward 5; George D. Demos, Ward 10; Bernard Murray, Ward 10; William Doherty, Ward 11; Frank W. Draper, Ward 11; John J. Gibbons, Ward 11; Joseph A. McDonald, Ward 11; William Howard, Ward 12; Hyman Shiff, Ward 14; David Sisson, Ward 14; Creighton A. Haughn, Ward 16; Zinny A. Winchus, Ward 16; Peter Broderick, Ward 17; Michael J. Burke, Ward 18; Arthur W. Ferry, Ward 18; Edward C. Dimock, Ward 20; Saleem M. Leon, Ward 20; John F. Knickerbocker, Ward 21; Joseph A. Artesani, Ward 22.

Fifty-nine traverse jurors, Superior Criminal Court, to appear January 5, 1948:

John J. Davidson, Ward 1; Fred L. Greene, Ward 2; James M. Bevilacqua, Ward 3; Frank J. Bionelli, Ward 3; Charles M. Moore, Ward 3; George A. Pappas, Ward 3; John L. McKenzie, Ward 4; Charles A. McKeown, Ward 4; Merton R. Osgood, Ward 4; Charles B. Young, Ward 4; Ernest S. Nickerson, Ward 5; Avery S. Peabody, Ward 5; Albert J. Cassino, Ward 6; Albert R. Geary, Ward 6; Peter J. Pechulis, Ward 6; George J. Fraser, Ward 7; Thomas Houlderfort, Ward 8; Raymond Wilder, Ward 9; Joseph Cardillo, Ward 10; Thomas J. Lyons, Ward 10; Thomas F. Burke, Ward 11; John A. W. Crako, Ward 11; Charles A. Dunn, Ward 11; Edward G. Kahler, Ward 11; Samuel H. Wells, Ward 11; Howard J. Bowman, Ward 12; Abraham Elman, Ward 12; Samuel Greenblatt, Ward 12; Arthur Lafond, Ward 13; William Sullivan, Ward 13; William Edward, Ward 14; Leo Tarr, Ward 14; Walter R. Beers, Ward 16; Michael T. Donovan, Ward 16; George C. Griffin, Ward 16; James A. Parsons, Ward 16; George H. Steeves, Ward 16; James Webb, Ward 17; Charles M. Blake, Ward 18; Joseph H. Carver, Ward 18; Joseph F. Conlon, Ward 18; Joseph M. Coughlin, Ward 18; Dante Gentili, Ward 18; Ernest W. Jameson, Ward 18; Harry Lambert, Ward 18; Lawrence H. Martin, Ward 18; Alf Henry Oas, Ward 18; George Parker, Ward 18; Francis C. Ryan, Ward 18; Leo H. Loiselle, Ward 19; Thomas A. Ryan, Ward 19; Joseph A. Cashon, Ward 20; Thomas Kelleher, Ward 20; Francis McLean, Ward 20; Cecil L. Blood, Ward 21; Walter E. Fowle, Ward 21; Justin Gould, Ward 21; George F. Holmes, Ward 21; Frank DiBenedetto, Ward 22.

One hundred fifty-one traverse jurors, Superior Civil Court, to appear January 5, 1948:

John Adams, Ward 1; Robert T. Brady, Ward 1; Joseph Chiango, Ward 1; Henry Erickson, Ward 1; Henry A. Moore, Ward 1; John R. Morrison, Ward 1; Rocco A. Puopolo, Ward 1; William M. Sampson, Ward 1; Vincent Smarrella, Ward 1;

Andrew J. Zermani, Ward 1; Simon P. Cauty, Ward 2; Charles O'Brien, Ward 2; Edward H. Smith, Ward 2; John P. Barry, Ward 3; Anthony Capitula, Ward 3; Edward F. Capone, Ward 3; Alfred P. Fuccillo, Ward 3; Luigi Logrippo, Ward 3; Anthony Poto, Ward 3; Paul C. Quinn, Ward 3; William J. Slattery, Ward 3; Donald H. White, Ward 3; Leon M. Bishop, Ward 4; Harold A. DeMund, Ward 4; Donald C. Hindes, Ward 4; Simon Lovett, Ward 4; William F. Ryder, Ward 4; George Thibideau, Ward 4; Earle P. Ainsworth, Ward 5; Howard S. Hurris, Ward 5; Alfred W. Jones, Ward 5; Paul J. Morin, Ward 5; George S. Reed, Ward 5; Albert I. Salaway, Ward 5; Theodore A. Sears, Ward 5; Ernest E. Thibault, Ward 5; Daniel W. Travers, Ward 5; Daniel J. Donovan, Ward 6; George Hood, Ward 6; James W. Knapp, Ward 6; Joseph H. Lynch, Ward 6; Axel F. Almquist, Ward 7; Edward T. Booth, Ward 7; Stephen J. Conley, Ward 7; Timothy Galvin, Ward 7; Michael F. McGillicuddy, Ward 7; George H. Rosemond, Ward 7; Thomas E. Wythe, Ward 7; Alfred A. DeLuca, Ward 8; Joseph O. Langis, Ward 8; William C. MacKinnon, Ward 8; Charles A. Peterson, Ward 8; Frank Cabral, Ward 9; Joseph Purcell, Ward 9; Edward J. Brooks, Ward 10; William H. Dolan, Ward 10; Joseph S. Galenack, Ward 10; Michael Murphy, Ward 10; James A. Scannell, Ward 10; Francis Boudreau, Ward 11; Armando Fioretti, Ward 11; Thomas J. Rowen, Ward 11; Harry C. Strickland, Ward 11.

Harry Bernstein, Ward 12; Patrick J. Lyons, Ward 12; J. Wilson Parker, Ward 12; Maxwell J. Van Dam, Ward 12; David Wakstein, Ward 12; Timothy J. Crowley, Ward 13; William A. DeMille, Ward 13; William H. Gallagher, Ward 13; James V. Gorman, Ward 13; Timothy F. Holland, Ward 13; Thomas F. Hurley, Ward 13; George Kurkjian, Ward 13; Frank Petherick, Ward 13; Thomas H. Sullivan, Ward 13; Gerald Aaron, Ward 14; Robert W. Atwood, Ward 14; Leon Carnam, Ward 14; Hyman Colton, Ward 14; Jack E. Evans, Ward 14; George Fine, Ward 14; Meyer Freeman, Ward 14; Hyman Goldman, Ward 14; Edward H. Hoffman, Ward 14; David Liberman, Ward 14; Harry Neiman, Ward 14; Alexander Sawyer, Ward 14; Charles W. Shannon, Ward 14; George Sheinhit, Ward 14; Isadore Weinstein, Ward 14; Hyman Zecker, Ward 14; Bernard J. A. Chisholm, Ward 15; Gordon Hay, Ward 15; Frank MacCormack, Ward 15; Leonard Varnerin, Ward 15; Cornelius F. Condon, Ward 16; Edwin C. Fein, Ward 16; Elliot F. Gallagher, Ward 16; Peter Kelly, Ward 16; James M. Kilroy, Ward 16; Fred J. Lear, Ward 16; Edward H. Willock, Ward 16; George J. Whippin, Ward 16; Thomas J. Brennan, Ward 17; Ralph L. Edlund, Ward 17; Frederick W. Fandel, Ward 17; Wallace F. Gibbs, Ward 17; Patrick J. McManaman, Ward 17; Valentine P. Murphy, Ward 17; Roland D. Quinn, Ward 17; William W. Rideout, Ward 17; Julius L. Smith, Ward 17; Karl R. Steinauer, Ward 17; Stephen Walsh, Ward 17; Charles White, Ward 17; Isaac N. Beers, Ward 18; Willard M. Chapman, Ward 18; Howard F. Cluff, Ward 18; Domenico D'Amata, Ward 18; Robert R. Forsyth, Ward 18; Albert H. Geyer, Ward 18; Eugene A. Ginnocchio, Ward 18; Benjamin A. Hynes, Ward 18; Hadley G. Polk, Ward 18; Joseph Salvoni, Ward 18; Joseph Schwartz, Ward 18; Clarence W. Wallace, Ward 18; Herbert Bluhm, Ward 19; Patrick Coughlin, Ward 19; Albert Shluzas, Ward 19; William A. Barthelmes, Ward 20; James E. Brown, Ward 20; James J. Flaherty, Ward 20; John M. McDonough, Ward 20; Frank Morella, Ward 20; Ernest C. Nickerson, Ward 20; Walter H. Rowell, Ward 20; Sylvanious A. Bosworth, Ward 21; Andrew J. Darcy, Ward 21; John J. Flynn, Ward 21; Charles F. Green, Ward 21; Samuel S. Levenson, Ward 21; John J. McCarthy, Ward 21; Charles A. Robbins, Ward 21; Donald D. F. Silbert, Ward 21; Daniel French, Ward 22; Thomas H. Murray, Ward 22; John H. Terp, Ward 22; Howard P. Woodlock, Ward 22.

Coun. MORIARTY in the chair.

PETITIONS REFERRED.

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

Claims.

Julius Aiello, for compensation for damage to car caused by an alleged defect in Sumner Tunnel,

Martin A. Barss, for compensation for damage to property at 63 Park Drive, caused by backing up of sewage.

Arthur Cheever, for compensation for damage to property at 133A Chiswick road, caused by defective sewerage system.

Aaron Cohen, for compensation for damage to car caused by an alleged defect in Sumner Tunnel. Laurence J. Connelly, for reimbursement for execution issued against him.

Margaret M. Donovan, for compensation for injuries caused by an alleged defect at 9 Fleet street, Boston.

James F. Drey, to be paid additional compensation due him as school teacher.

Mrs. Calia B. France, for compensation for injuries caused by an alleged defect in Columbus avenue.

Dorothy M. Griffin, for compensation for injuries caused by an alleged defect at 141 Harold street.

Harry Grolnic, to be reimbursed as result of accident which occurred while in performance of duty.

Seraphine L. and Harold C. Hayes, for compensation for injuries caused by an alleged defect at 6 Jersey street.

Phyllis M. Howell, for compensation for damage to car by car of Park Department.

Iver Johnson Sporting Goods Company, for compensation for damage to property at 155 Washington street, caused by break in water pipe.

Michael Kaczka, to be reimbursed for execution issued against him.

Olga Kandib, for compensation for injuries caused by an alleged defect at 120 Glenway street.

William T. Logue, to be reimbursed for execution issued against him.

Thomas J. Lynch, for compensation for damage to car caused by an alleged defect at 950 South street, Roslindale.

Frederick D. McLean, for compensation for damage to topcoat while in performance of duty as employee of Police Department.

Frances Nevler, for compensation for injuries caused by an alleged defect in Atlantic avenue.

Cheryl, Evelyn and Edward Novick, for compensation for injuries caused by an alleged defect at 594 Blue Hill avenue.

Mary E. O'Neill, for compensation for damage to property at 464 Pond street, caused by raised sidewalk.

Willis W. Rackliff, for compensation for damage to property at 1140 Commonwealth avenue, caused by defective sewer system.

Angelo Ruggiero, for compensation for damage to car caused by an alleged defect in Sumner Tunnel.

Claire H. Segersten, for compensation for damage to car by car of Fire Department.

Albert J. Sidd, for compensation for injuries caused by an alleged defect at 176 Shawmut avenue.

Adeline T. Urquhart, for compensation for damage to property at 11 Aldrich street, Roslindale, caused by defective sewerage system.

CERTIFICATION OF ELECTION RETURNS.

The following was received:

City of Boston,
Board of Election Commissioners,
November 24, 1947.

Walter J. Malloy, Esq.,
Assistant City Clerk.

Dear Sir,—We certify that at the City Election held in the City of Boston on November 4, 1947, for the choice of three members of the School Committee for the term of four years the following were duly elected to said office:

Joseph C. White, 12 Ruskin street.
Daniel J. McDevitt, 238 South Huntington avenue.

Isadore H. Y. Muchnick, 9 Powellton road.
We further certify that for the choice of one member of the City Council from each ward for the term of two years the following were elected from the wards set forth against their names:

Ward 1, James S. Coffey, 451 Meridian street.
Ward 2, Michael Leo Kinsella, 7 Belmont street.
Ward 3, George T. Lanigan, 61 Allen street.
Ward 4, Perlie Dyar Chase, 136 Huntington avenue.
Ward 5, John E. Yerxa, 3 Fairfield street.
Ward 6, John B. Wenzler, 514 East Broadway.
Ward 7, Thomas E. Linehan, 770 Columbia road.

Ward 8, William F. Hurley, 76 Mt. Pleasant avenue.

Ward 9, Daniel F. Sullivan, 9 Highland street.

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

Ward 11, Philip A. Tracy, 49 Atherton street.

Ward 12, Milton Cook, 168 Ruthven street.

Ward 13, Thomas J. Hannon, 15 Hartford street.

Ward 14, Julius Ansel, 25 Calder street.

Ward 15, Robert J. Ramsey, 39 Cameron street.

Ward 16, John J. Beades, 278 Minot street.

Ward 17, William Joseph Keenan, 78 Fairmount street.

Ward 18, Michael Herbert Cantwell, 4 Violante street.

Ward 19, Thomas L. McCormack, 30 Orchard street.

Ward 20, Walter D. Bryan, 18 Alhambra road.

Ward 21, Edmund V. Lane, 1666 Commonwealth avenue.

Ward 22, Vincent J. Shanley, 73 Parsons street.

Respectfully yours,
WILLIAM A. MOTLEY, JR.,
EVERETT R. PROUT,
JOSEPH H. LANGONE, JR.,
GERTRUDE A. PFAU,
Board of Election Commissioners.

City of Boston,
Board of Election Commissioners,
November 18, 1947.

Walter J. Malloy,
Assistant City Clerk.

Dear Sir,—We hereby certify that at the City Election held in Boston on November 4, 1947, the vote on the question relating to equal pay for men and women teachers was as follows:

Shall the provisions of section 40 of chapter 71 of the General Laws, as amended, relative to equal pay for men and women teachers be in force in this city?

Yes—96,128.
No—64,936.

Respectfully yours,
WILLIAM A. MOTLEY, JR.,
EVERETT R. PROUT,
JOSEPH A. LANGONE, JR.,
GERTRUDE A. PFAU,
Board of Election Commissioners.

Severally placed on file.

LOAN FOR SOUTH BOSTON
LOW-INCOME HOUSING DEVELOPMENT.

Coun. LINEHAN offered the following:

Ordered, That under the provisions of General Laws, chapter 121, section 26cc, the sum of four million dollars, (\$4,000,000) be, and the same hereby is, appropriated to be loaned to the Boston Housing Authority, for the construction of a low-income housing development on the so-called South Boston site, in cooperation with the Public Housing Administration of the Federal Government under the terms of the so-called McCarthy Act (Public Law 85, Eightieth Congress), and that the City Treasurer be, and hereby is authorized to issue, from time to time, upon request of the Mayor, bonds, notes, or certificates of indebtedness of the City of Boston to said amount.

On motion of Councilor Linehan the rules were suspended, and the order was read once and passed, yeas 15, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Cook, Hannon, Keenan, Kelly, Kinsella, Lane, Linehan, Moriarty, Muchnick, Russo, Scannell.—15

Nays—0.
The order will take its second reading and passage in not less than 14 days.

THANKS TO JOHN B. HYNES.

Coun. MUCHNICK and BAYLEY offered the following:

Whereas, John B. Hynes served as Temporary Mayor for the City of Boston during a trying period; and

Whereas, John B. Hynes filled the office of Temporary Mayor with honor and distinction to the credit and the benefit of the City of Boston and its inhabitants; now therefore be it

Resolved, That the Boston City Council in meeting assembled hereby expresses to John B. Hynes its sincere thanks and the sincere thanks of the inhabitants of the City of Boston for a job well done; and be it further

Resolved, That the Boston City Council in behalf of itself and the inhabitants of Boston extends to John B. Hynes its felicitations and best wishes for the future; and be it further

Resolved, That a copy of the above resolution, suitably engraved and inscribed, be presented to John B. Hynes.

The resolution was passed under suspension of the rules.

NAMING OF EDWARD C. MAGUIRE SQUARE.

Coun. HANNON, for Councilor Fish, offered the following:

Ordered, That his Honor the Mayor submit to the Veterans Memorial Committee the name of Edward C. Maguire, a deceased veteran of World War II, and that his service to his country be so recognized by naming the junction of Dorchester avenue, Lonsdale street and Welles avenue, the Edward C. Maguire Square.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on licenses, submitted report on petitions to operate bowling alleys on the Lord's Day:

Columbia Recreation, Joseph Rubbico, 707 Columbia road, Dorchester (referred November 10).

West Roxbury Bowling Center, Robert G. Ross, 119 Park street, West Roxbury (referred November 10).

Crawford Bowling Alleys, Victor N. Mochi, 15 Hanover street (referred November 24).

Codman Square Bowlway, Harry F. Hamparian, 649 Washington street, Dorchester (referred November 24).

Richard Henry, 20A Harvard avenue, Allston (referred November 24), recommending that licenses be granted.

Report accepted; licenses granted under usual conditions.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment (referred November 24) of Henry Thomas Reid, as Constable for term ending April 30, 1948, authorized to serve civil process — recommending confirmation of said appointment.

Report on appointment (referred November 24) of Theodore Joseph Zaborski, as Constable for term ending April 30, 1948, authorized to serve civil process upon filing of bond — recommending confirmation of said appointment.

The reports were accepted, and the question came on confirmation. Committee, Councilors Cook and Coffey. Whole number of ballots 13, yeas 13, and the appointments were confirmed.

PROHIBITION OF SUBSTITUTION OF NAME OF CANDIDATE BY COMMITTEE.

Coun. RUSSO offered the following:

Ordered, That the Corporation Council be directed to prepare and present legislation which will, in the future, prohibit the substitution of the name of a candidate by a committee, which practice is presently permitted under our election laws.

Passed under suspension of the rules.

BURIAL OF WORLD WAR II VETERANS BROUGHT FROM OVERSEAS.

Coun. RUSSO offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to consider

the advisability of granting free graves for the burial of World War II veterans being brought from overseas for burial at home, and to include with this grant the opening of said graves, the liner, and the use of the lowering device.

Passed under suspension of the rules.

INVESTIGATION BY FINANCE COMMISSION RE PARKING METERS.

Coun. CHASE offered the following:

Ordered, That the Boston Finance Commission be requested, through his Honor the Mayor, to make a thorough investigation of the need of parking meters and the various types of meters now under consideration by the Traffic Commission, and report back to the Council their finding with their recommendations.

Coun. COOK moved to lay the order on the table. The motion was carried.

Coun. COFFEY doubted the presence of a quorum. The Clerk called the roll, with the following result:

Present — Councilors Bayley, Bryan, Chase, Cook, Hannon, Keenan, Kelly, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell — 13.

President KELLY in the chair.

Coun. Chase doubted the vote on the motion to lay Councilor Chase's order on the table and asked for a roll call. The order was laid on the table, yeas 9, nays 4:

Yeas — Councilors Bryan, Cook, Hannon, Keenan, Kelly, McCormack, Moriarty, Russo, Scannell — 9.

Nays — Councilors Bayley, Chase, Linehan, Muchnick — 4.

DEATH OF DR. FRANCIS T. HENDERSON.

Coun. SCANNELL offered the following:

Resolved, That the Boston City Council, in meeting assembled, hereby expresses its deep and sincere regret at the sudden death of Dr. Francis T. Henderson who, as chief surgeon at the Boston City Hospital, devoted thirty years of his life in administering to the needs of patients in poor financial circumstances; and be it further

Resolved, That a suitable plaque be erected to his memory in one of the main buildings of the Boston City Hospital; and be it further

Resolved, That a copy of this resolution be sent to the family of Doctor Henderson.

The resolution was passed by a unanimous rising vote.

INSPECTION BY COMMITTEE ON PRISONS.

Coun. RUSSO announced that the Committee on Prisons would inspect the Charles Street Jail on Thursday, December 4, at 10.30 a. m., and inspect Deer Island on Friday at 10.30, and all members of the Council were invited to be present. The boat for Deer Island leaves Commercial Wharf at 10.30 a. m.

PARKING METER ORDER.

Coun. BAYLEY moved that Councilor Chase's order *re* investigation by Finance Commission of parking meters purchase be taken from the table. The motion to take from the table was lost.

Coun. COFFEY doubted the presence of a quorum. The roll was called with the following result:

Present — Councilors Bayley, Bryan, Chase, Kelly, Kinsella, Linehan, McCormack, Moriarty, Russo, Scannell — 10.

Adjourned, for lack of quorum, at 3.52 p. m., to meet on Monday, December 8, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.
(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 8, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councillor Madden. The meeting was opened with the salute to the Flag.

VETO OF LOAN ORDER OF \$7,000,000
FOR LOW-INCOME HOUSING DEVELOPMENTS.

The following was received:

City of Boston,
Office of the Mayor, December 2, 1947.
To the City Council.

Gentlemen,—On November 24 two loan orders covering cooperation with the Public Housing Administration of the federal government under the terms of the so-called McCarthy Act were approved by your Honorable Body. One order in the sum of \$3,000,000 related to the South End or Cathedral low-income housing development and the other in the sum of \$7,000,000 embraced two sites, namely, the South End and the South Boston developments.

Under existing law, orders of this character must be approved by the Emergency Finance Board. I am advised that, under the procedure of this agency, individual orders must be limited to one site or development. In view of this fact, I have withheld approval of the \$7,000,000 order and am returning it to you without prejudice. I have approved the order relating to the South End or Cathedral project and, in the event a separate order is adopted by your Honorable Body covering the South Boston site or development, I shall be pleased to approve the same.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

APPOINTMENT BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointment:
Henry J. Olsiewski, 71 Milton avenue, Dorchester, Mass., as Weigher of Coal, for term ending April 30, 1948.

Referred to Committee on Constables and Confirmations.

NAMING OF INTERSECTIONS IN
MEMORY OF DECEASED VETERANS.

The following was received:

City of Boston,
Office of the Mayor, December 8, 1947.
To the City Council.

Gentlemen,—The committee appointed by me in 1946 to recommend the naming of certain intersections in the city in memory of deceased veterans has forwarded me a recommendation, as herewith attached, that three intersections in various parts of the city be named for veterans who sacrificed their lives during the period of World War II in order that liberty and freedom might exist in the world.

I understand the committee has made its recommendations after considering various proposals, and has attempted, in so far as possible, to name intersections in honor of local heroes.

I submit herewith separate orders for the naming of each intersection as recommended, and I respectfully request approval of these orders by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Board of Street Commissioners,
December 5, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting held this day of the Committee to Memorialize Veterans, it was voted unanimously to designate the following intersections in honor of the following veterans of World War II who were killed in action: Amory and Green streets, Jamaica Plain, Edward F. O'Brien Square, killed in action in France, June 13, 1944.

Morton and Old Morton streets and Pleasant Hill avenue, Dorchester, Nicholas J. Driscoll Square, killed in the Battle of Saint-Lo, July 29, 1944.

Norton and Bowdoin streets, Dorchester, John Francis Armstrong Square, killed in action in the Pacific area, near Okinawa, by Japanese suicide plane, May 13, 1945.

Notice of the above vote has been forwarded to the City Council for approval.

Sincerely yours,
L. W. COSTELLO, Secretary.

Placed on file.

Ordered, That the space at the junction of Amory and Green streets, Jamaica Plain, be named Edward F. O'Brien Square, in honor of Edward F. O'Brien, late veteran of World War II.

Ordered, That the space at the junction of Norton and Bowdoin streets, Dorchester, be named John Francis Armstrong Square, in honor of John Francis Armstrong, late veteran of World War II.

Ordered, That the space at the junction of Morton and Old Morton streets and Pleasant Hill avenue, Dorchester, be named Nicholas J. Driscoll Square, in honor of Nicholas J. Driscoll, late veteran of World War II.

Referred to the Executive Committee.

RENAMING OF WORCESTER SQUARE.

The following was received:

City of Boston,
Office of the Mayor, December 8, 1947.
To the City Council.

Gentlemen,—I transmit herewith communication from the Committee in Charge of Naming Squares, relative to your order of September 29, 1947, concerning the renaming of Worcester square, in the South End of Boston, in honor of the late William Thomas Jones, carpenter's mate, 3rd class, United States Navy.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston
Board of Street Commissioners,
December 5, 1947.

J. Joseph Connors,

Chief Clerk, Mayor's Office.

Dear Sir,—With reference to your communication of October 1, 1947, inclosing Council order, dated September 29, 1947, I beg to advise that at a meeting held this day of the Committee to Memorialize Veterans it was voted to reject the request of the City Council to rename Worcester square in honor of the late William Thomas Jones, U. S. N., who was killed in action during the invasion of Salerno Beach, Italy, on September 9, 1943.

The committee was reluctant to act favorably in the matter because of the fact that all the streets and important squares in the vicinity have been named after cities of the Commonwealth, including Springfield, Brookline, Newton, etc., in accordance with a plan mapped out many years ago.

However, the committee would be glad to act favorably on the naming of a junction or intersection in the vicinity in honor of the above-named veteran, if said junction or intersection has not already been named.

The committee will await suggestions in the matter.

Very truly yours,
L. W. COSTELLO, Secretary.

Placed on file.

ADDITIONAL APPROPRIATION FOR PRINTING DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, December 8, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached request from the Superintendent of Printing for an additional appropriation of \$5,000 from the income of the Printing Department to the appropriation for Departmental Stationery and Postage. This appropriation is used entirely for resale to city departments, and it is difficult to anticipate exactly their requirements.

I am forwarding, herewith, an order appropriating the sum of \$5,000 from the income of the Printing Department, and recommend consideration and adoption of this order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1947, an additional sum of five thousand dollars (\$5,000) be, and the same hereby is, appropriated from the income of the Printing Department for the following purpose:

Special Appropriation.

Departmental Stationery and Postage, \$5,000.
Referred to the Executive Committee.

TRANSFER OF \$154,100 TO HOSPITAL DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, December 8, 1947.
To the City Council.

Gentlemen,—There was provided in the 1947 budget an appropriation in the sum of \$154,100 for the Construction of Buildings. This appropriation represented the amount necessary as a prerequisite to borrowing under the authority of chapter 44 of the General Laws. Because of the scarcity and high cost of materials, the uncertain labor costs, and the concentration on veterans' housing, the building program was abandoned for this year.

The institution of the 40-hour work week for employees, which could not be anticipated in the 1947 budget, together with the unforeseen increases in the costs of supplies and materials has caused shortages in some of the budget items of the Hospital Department. It is, therefore, deemed advisable to apply this appropriation to meet these unforeseen requirements in the Hospital Department which are segregated as follows:

Personal Service, \$121,000; Sheets, Pillow Cases, etc., \$6,500; Medical Supplies, \$25,000; Office Supplies, \$1,600. Total, \$154,100.

I am forwarding herewith an order transferring this sum of \$154,100 from Special Appropriations for Construction of Buildings to the appropriate items in the budget of the Hospital Department, and recommend consideration and adoption by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From Special Appropriation, Construction of Buildings, and Original Equipment and Furnishings Thereof, \$154,100, to Hospital Department, A-1, Permanent Employees, \$80,000; A-2, Temporary Employees, \$10,000; A-3, Unassigned, \$31,000; C-7, Furniture and Furnishings, \$6,500; D-1, Office, \$1,600; D-5, Medical, Surgical, Laboratory, \$25,000.

Referred to the Executive Committee.

EXEMPTIONS FROM 40-HOUR WORK WEEK.

The following was received:

City of Boston,
Office of the Mayor, December 8, 1947.
To the City Council.

Gentlemen,—Chapter 649 of the Acts of 1947 establishing a 40-hour work week for employees exempted certain classes of employees and provided that other classes or groups of employees may, from time to time, be specifically exempted therefrom in the same manner provided for the acceptance of the act.

There are certain types of positions in the service of the city which are of an administrative or supervisory character, and the services of the incumbents of these positions should be available without restriction. After a survey, it has been decided that any person who is compensated for his services on an annual salary basis of \$3,400 or more, or on a weekly basis of \$65 or more falls into this category and should be exempt. In addition, and in compliance with the recommendation of the Fire Commissioner in the interests of economy and efficiency, it is also proposed to exempt any person on the pay rolls of the Fire Alarm Division of the Fire Department.

I am forwarding, herewith, an order providing for the above-mentioned exemptions and recommend consideration and adoption of this order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That section 33A of chapter 149 of the General Laws, as inserted by chapter 649 of the Acts of 1947, shall not apply to those specifically exempted therefrom by said section or to any person on the pay rolls of the Fire Alarm Division of the Fire Department or to any person who is compensated for his services on an annual salary basis of \$3,400 or more or on a weekly salary basis of \$65 or more.

Referred to the Executive Committee.

ADDITIONAL APPROPRIATION FOR STATISTICS DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, December 8, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Chairman of the Statistics Department requesting an additional appropriation of \$6,775 from the revenue of the *City Record*. This additional appropriation is necessary to provide for advertising for bids, especially by the Real Estate Department, which have more than doubled over any previous year, and was not anticipated when the budget was submitted.

There is forwarded herewith an order appropriating the above-mentioned sum from the income of the *City Record*. I recommend consideration and adoption of this order by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Statistics Department, December 5, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Mr. Mayor,—May we kindly request an increase in the following budget items for the year 1947:

B-1, \$6,600; B-42, \$175; total, \$6,775.

The increase of \$6,600 in B-1, Printing, is necessitated by the increase of \$2.25 per each 1,000 ems (the average weekly issue of the *City Record* containing approximately 100,000 ems) by the Printing Department beginning January 1, 1947, about two months after the preparation of the 1947 budget sheets.

This increase is also caused by the tremendous amount of advertising for bids, especially the Real Estate Department bids, which have more than doubled that of any previous year. This type of printed matter is made up of the smallest and therefore the most expensive kind, a jump in price from \$1.75 to \$2.25 per 1,000 ems by the Printing Department.

The B-42 item for binding and mailing the *City Record* has increased approximately \$5 per weekly mailing.

Respectfully,
WILLIAM J. CAMPBELL, Chairman.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1947, an additional sum of six thousand seven hundred and seventy-five dollars (\$6,775) be, and the same hereby is, appropriated from the income of the *City Record*, Publication of, for the following purposes:

CITY RECORD, PUBLICATION OF.	
B. CONTRACTUAL SERVICES.	
1. Printing and binding.....	\$6,600
42. Miscellaneous services.....	175
	\$6,775

Referred to the Executive Committee.

TRANSFERS OF APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, December 8, 1947.

To the City Council.

Gentlemen,—The enclosed requests for transfer of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Buildings Department, Market Division, B-1, Printing and Binding, \$2.50; B-13, Communication, \$23; B-18, Cleaning, \$3.20; B-39, General Repairs, \$15.25; C-7, Furniture and Furnishings, 95 cents; C-9, Office, \$3; C-13, Tools and Instruments, \$7.54; D-3, Fuel, \$150; D-5, Medical, Surgical, Laboratory, 3 cents; D-8, Laundry, Cleaning, Toilet, \$13.25; D-13, Chemicals and Disinfectants, 50 cents; D-16, Miscellaneous Supplies, \$44.13; E-10, Electrical, \$10.08; Public Buildings Department, A-1, Permanent Employees, \$130.97, to the appropriation for Public Buildings Department, Market Division, A-1, Permanent Employees, \$405.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Public Works Department, Paving Service, A-1, Permanent Employees, \$2,000, to the appropriation for Special Appropriation, Reconstruction of Streets, \$2,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, County Contingent Fund, \$5,000, to the appropriation for Insanity Cases, B-35, Fees, Service of Venires, etc., \$5,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Special Appropriation, Reserve Fund, \$13,725, to the appropriation for Special Appropriation, Contingent Fund, \$13,725.

Severally referred to the Executive Committee.

PETITIONS REFERRED.

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

Claims.

Anthony J. Barbanti, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

Jacob Baron, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

Benjamin T. Beale, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

Blinstrub's Village, for compensation for damage to property at 300-305 West Broadway, caused by backing up of sewage.

Robert Brown, for compensation for loss of coat and hat at City Hospital.

Theodore J. Daniels, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

John DeFranzo, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

A. Dolci, for compensation for damage to property at 79 Willow court, caused by water being shut off.

Mary E. Galvin, for compensation for damage to property at 56 Wyman street, Jamaica Plain, caused by removing stump of tree.

Max Goldstein, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

Dr. Norman Herman, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

Paul M. Johnson, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

John James Kerrigan, to be reimbursed for salary due him as boilermaker in Public Works Department.

Edward G. McGrath, to be reimbursed as result of accident which occurred while in performance of duty.

Aurelio Picardo, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

Lillian M. Rendle, for compensation for damage to property at 1152A Commonwealth avenue, caused by defective catch-basins.

Alvan J. Rodenhizer, for compensation for damage to car by fire apparatus.

Dr. Karl Rothschild, for compensation for damage to car by car of Fire Department.

Principio A. Santosuosso, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

Mrs. J. Schweitzer, for compensation for damage to car caused by an alleged defect at 15 Mt. Hood road.

David Sochat, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

Eugene Stauss, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

Supply Service Company, for compensation for damage to property at 1433 Dorchester avenue, caused by break in water line.

Mario Terranova, for compensation for damage to property at 1144 Commonwealth avenue, caused by defective sewerage drains.

Fred Volles, for compensation for damage to car by fire truck.

Dr. John T. Williams, for compensation for damage to car caused by being sprayed with paint in Sumner Tunnel.

Joseph Russo, for compensation for damage to property at 42 Green street, caused by backing up of catch-basin and sewer.

Committee on Licenses.

Petition of Mattapan Square Bowling Alleys, Joseph V. Celli, 500 River street, Mattapan, Ward 18, for license to operate bowling alleys on the Lord's Day.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Henry T. Reid, having been duly approved by the City Treasurer, was received and approved by the Council.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from M. P. Ellis of interest in contract for repairs at Charlestown Library. Placed on file.

ADMINISTRATIVE SURVEY OF CITY BY FINANCE COMMISSION.

The following was received:

City of Boston,

Finance Commission, December 5, 1947.

To the Honorable the Mayor and City Council.

Gentlemen,—I am enclosing, for your information, a copy of a bill filed by members of the Finance Commission with the Massachusetts Legislature to provide for an administrative survey for the City of Boston; and a copy of the statement issued by the Commission in explanation thereof.

Yours very truly,

JOSEPH K. COLLINS, Chairman.

AN ACT PROVIDING FOR AN ADMINISTRATIVE SURVEY BY THE FINANCE COMMISSION OF THE CITY OF BOSTON FOR A SPECIAL APPROPRIATION THEREOF.

SECTION 1. Under the authority granted to it by chapter four hundred and eighty-six of the acts of nineteen hundred and nine, the Finance Commission of the city of Boston is hereby directed forthwith to make an administrative survey, analysis and appraisal of the organization, policies, procedures, practices, staff requirements, expenditures and expenditure requirements of the government of the city of Boston and of each department, bureau, office, service, commission, committee, board and other agency whose expenditures are paid in whole or in part by the treasurer of the city of Boston for the constructive purpose of revealing all possible opportunities for increasing the effectiveness and reducing the cost of such services as are paid for in whole or in part by the treasurer of the city of Boston. The Finance Commission shall make a report or reports of its findings and recommendations to the mayor of Boston, the governor of the Commonwealth and the General Court not later than the first day of February in the year nineteen hundred and fifty.

The expense of said investigation and report shall be paid by the city of Boston upon requisition by the commission, not exceeding in the aggregate the sum of

dollars in addition to the annual appropriation required by section twenty of said chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended.

There shall be appropriated by the city in each year until the investigation and report are completed sums sufficient to cover the commission's estimates of its needs for said year not to exceed the foregoing limitation.

The commission shall have the same right to incur expenses in anticipation of its appropriation as if it were a regular department of the city.

City of Boston,

Finance Commission, December 2, 1947.

Statement Issued by the Finance Commission in Explanation of Bill Filed for Administrative Survey.

The City of Boston has reached a critical point in its financial life; the impasse is produced by the simultaneous development of rising costs and lowered valuations, the latter being the chief source of revenue. The prospects for further increase of costs are alarming; the prospects for materially reversing the trend in valuations, which have been spiraling downward since 1930, are very dim.

A careful factual analysis of the situation reveals that Boston is faced with the prospect of a tax rate in the vicinity of \$55 if one excludes the possibility of additional juggling of valuations by the Assessors, legislative development of new sources of revenue, and borrowing for current maintenance charges.

Part of the already sharply increased cost of operation may be found in the broad economic factors of cost of wages and supplies; the rest is found in the growing size of the administrative machine. Since the first is uncontrollable, efforts to bring down the cost of city government must lie in the direction of internal economy.

The history of the administrative machinery of the city shows that it has grown to its present size not along the lines of any well-conceived plan but by simple accretion, *i. e.*, each new municipal service has been superimposed upon the

existing administrative structure. Addition has followed addition through the years, while the proper design of the organization and administration of the governmental structure has never been determined.

It is fairly self-evident that such unplanned development, particularly when it is attended by no adequate study of contemporary needs of the respective departments, results in duplication, lack of coordination, lack of work programming, inefficient assignment of personnel, surplus and shortages of personnel, and similar defects. These, when translated into costs of personnel and supplies, assume important dollar proportions.

Specific evidence of such shortcomings is provided in the many reports published by the Finance Commission and other agencies. Such evidence partially explains the unfavorable position which Boston occupies in most intercity unit cost comparisons. Such reports as have been made, however, while covering whole departments in some cases, have, in the main, been sample diagnoses developed in the process of exploring the problem of the moment; but they have served to indicate the need of comprehensive exploration.

To completely cover the ground and establish a foundation upon which the city government structure may operate efficiently would require the type of study sought in this petition. Once reorganized and operated along lines of maximum efficiency and minimum cost, consistent with sound policy, the city may face the future with a new confidence, secure in the knowledge that everything possible has been done to achieve financial security.

This is the reasoning which underlies the petition of the Finance Commission to the Legislature to make possible the funds for a comprehensive survey of the governmental administration which the City of Boston finances.

Placed on file.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment by the Mayor (referred December 1) of Abraham Bornstein, 625 Warren street, as Constable for term ending April 30, 1948, authorized to serve civil process upon filing of bond—recommending confirmation of appointment.

Report on appointment by the Mayor (referred December 1) of Joseph J. Benkert as member of Boston Housing Authority for term expiring January 8, 1948, *vice* Eva Whiting White, resigned—recommending confirmation of appointment.

The reports were accepted, and the question came on confirmation. Committee, Councilors Moriarty and Bayley. Whole number of ballots 14, yeas 14, and the appointments were confirmed.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. MORIARTY, for the Committee on Public Lands, submitted the following:

Report on message of Mayor and order (referred August 4) for sale of land and building known as Engine 13, on Cabot and Whittier streets, Roxbury, at public auction at upset price of \$500—that no further action is necessary.

The report was accepted that no further action is necessary.

RELEASE OF CERTAIN RIGHTS IN JAMAICA PLAIN PRIVATE WAY.

President KELLY called up, under unfinished business, No. 1 on the Calendar, *viz.*:

1. Order releasing certain rights over a private way in Jamaica Plain. On November 24, 1947, the foregoing order was read once and passed, yeas 15, nays 0.

The question came on giving the order its second reading and passage. The order was given its second reading and passage, yeas 18, nays 0:

Yeas—Councilors, Bayley, Bryan, Cantwell, Carey, Coffey, Cook, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell—18.

Nays—0.

LEGISLATION RE APPROPRIATIONS TO BE MADE FOR SCHOOL PURPOSES.

Coun. HANNON offered the following:
Resolved, That the City Council of Boston hereby approves the enactment of legislation authorizing an increase in the statutory limitation on the appropriations authorized to be made for school purposes in the City of Boston; provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rules.

CERTAIN STREETS AS COASTING AREAS.

Coun. HANNON offered the following:
Ordered, That his Honor the Mayor be requested to direct the Board of Street Commissioners and the Police Commissioner to set aside as coasting areas certain streets in each district of Boston, and to provide the necessary measures for the protection of the children.

On motion of Councilor Coffey the order was amended to provide that cinders be placed at the approaches to such streets. The order as amended was passed under suspension of the rules.

LICENSE TO WILLIAM G. WALSH POST 369, AMERICAN LEGION.

Coun. KEENAN offered the following:
Ordered, That a license be hereby granted to Frederick Nedvins, for the William G. Walsh Post 369, American Legion, to use Braves Field on the afternoon of Sunday, December 14, 1947, for an amateur football game between the William G. Walsh team and the Chippewas, and to charge admission thereto, for the benefit of the family of Patrick Mulkerin, a former football player on the team of said post; provided that the provisions of section 25 of chapter 41 of the Revised Ordinances of 1947 relative to liability insurance shall be complied with. The fee for said license shall be \$5.

The order was passed under suspension of the rules.

INSTALLATION OF ESCALATOR AT ASHMONT STATION, ETC.

Coun. KEENAN offered the following:
Ordered, That the Metropolitan Transit Authority be requested, through his Honor the Mayor, to arrange for the installation of an escalator at Ashmont Station and to make a check-up on unused escalators at the South Station Under, Broadway, and Andrew Square Stations of the rapid transit system.

Passed under suspension of the rules.

REPORT OF COMMITTEE ON CLAIMS.

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

Report on petition of Ralph W. Alvarez (referred November 10) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor truck belonging to Water Division, Public Works Department—recommending passage of the accompanying order:

Ordered, That the sum of two hundred fifty dollars (\$250) be allowed and paid to Ralph W. Alvarez in reimbursement for amount of execution issued against him on account of his acts as operator of a motor truck belonging to the Water Division, Public Works Department, said sum to be charged to the Contingent Fund.

Report on petition of Frank C. Burns (referred November 10) 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 the passage of the accompanying order:

Ordered, That the sum of five hundred fifty dollars (\$550) be allowed and paid to Frank C. Burns in reimbursement for amount of execution issued against him on account of his acts as opera-

tor of a motor vehicle belonging to the Police Department—said sum to be charged to the Contingent Fund.

Report on petition of Carleton W. Mayer (referred November 24) 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:

Ordered, That the sum of four hundred eighty dollars and ten cents (\$480.10) be allowed and paid to Carleton W. Mayer 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 on petition of Joseph H. Ziniti (referred November 10) 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:

Ordered, That the sum of two thousand three hundred dollars (\$2,300) be allowed and paid to Joseph H. Ziniti in reimbursement for amount of execution 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.

Reports accepted; orders severally passed.

REPAIR OF HEAD HOUSE PIER.

Coun. LINEHAN and SCANNELL offered the following:

Whereas, The so-called Head House pier has collapsed in several sections making it a hazard and menace to the safety of the children of Boston and has been in such unfit condition that the citizens of Boston have not been able to use it for the past several years; and

Whereas, The maintenance of and repairs to this pier can be provided for out of the Parkman Fund; therefore be it

Ordered, That his Honor the Mayor request the Park Commission to either provide a sum sufficient for the reconstruction of the Head House pier in its 1948 budget or to provide said sum through the issuance of bonds, on the recommendation of the Mayor, to be financed from the income of the said Parkman Fund.

Passed under suspension of the rules.

AQUARIUM IMPROVEMENTS.

Coun. LINEHAN and SCANNELL offered the following:

Whereas, The aquarium at City Point, South Boston, has been permitted to become insufficiently stocked with fish, turtles, and other sea life, and the building has become deteriorated and in run down condition; therefore be it

Ordered, That his Honor the Mayor request the Park Commission to provide a sufficient sum of money in its 1948 budget so as to adequately provide a sufficient stock of sea life for the tanks and to make all necessary repairs to the aquarium.

Passed under suspension of the rules.

SANDING OF SOUTH BOSTON BEACHES.

Coun. LINEHAN and SCANNELL offered the following:

Ordered, That his Honor the Mayor request the Park Commissioner to provide for a sufficient sum of money in its 1948 budget for the purpose of furnishing sand at all of the South Boston beaches for the 1948 summer season.

Passed under suspension of the rules.

COLUMBUS PARK IMPROVEMENTS.

Coun. LINEHAN offered the following:
Ordered, That his Honor the Mayor request the Park Commissioner to insert a sufficient sum of money in the 1948 budget to provide for the resodding and putting in proper condition for the 1948 summer season of the baseball and soft ball diamonds at Columbus Park, South Boston.

Passed under suspension of the rules.

**HANDBALL COURTS NEAR CARSON
BEACH BATH HOUSE.**

Coun. LINEHAN offered the following:

Ordered, That his Honor the Mayor request the Park Commissioner to insert a sufficient sum of money in the 1948 budget to provide for the construction of two handball courts in the vicinity of Carson Beach Bath House, South Boston, so that they will be available for the 1948 summer season.

Passed under suspension of the rules.

**NOTIFICATION TO COUNCILORS OF NEW
BUS LINES IN THEIR DISTRICTS.**

Coun. COFFEY offered the following:

Ordered, That the Metro Department be requested, through his Honor the Mayor, to notify each councilor when and if new bus lines are to be run through his district.

Passed under suspension of the rules.

**RIGHT OF "METRO" BUSES TO RUN
WITHOUT CONSENT OF CITY COUNCILS.**

Coun. COFFEY offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to rule on the constitutionality of the law recently passed by the Legislature giving the Metro the right to run buses throughout the 14 cities and towns that they now service without the consent of the city councils of said cities.

Passed under suspension of the rules.

**FLOODING OF WARD 10 PLAYGROUNDS
FOR SKATING.**

Coun. CAREY offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to immediately prepare and flood the Mission Hill, Lieut. Joseph D. McLaughlin and Jefferson Playgrounds, in Ward 10, for skating.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Russo, the Council took a recess at 2.50 p. m., subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 3.20 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred December 1) appropriating \$250,000

from Surplus Revenue to be expended under direction of Board of Overseers of Public Welfare—that same ought to pass.

Report on message of Mayor and order (referred today) transferring \$154,100 from Special Appropriation for Construction of Buildings to budget of Hospital Department—that same ought to pass.

Report on message of Mayor and order (referred today) appropriating \$6,775 from income of *City Record* to meet current expenses—that same ought to pass.

Report on message of Mayor and order (referred today) appropriating \$5,000 from income of Printing Department to meet current expenses—that same ought to pass.

Report on message of Mayor and orders (referred today) for transfers of appropriations—that same ought to pass.

The reports were accepted, and the question came on the passage of the several orders. The orders were severally passed, yeas 14, nays 0;

Yeas—Councilors Cantwell, Carey, Chase, Cook, Fish, Hurley, Keenan, Kelly, Linehan, McCormack, Moriarty, Muehnick, Russo, Sullivan—14.

Nays—0.

2. Report on message of Mayor and orders (referred today) for naming of three intersections in honor of veterans killed in action—that same ought to pass.

Report accepted; said orders passed.

3. Report on message of Mayor and order (referred today) that section 33A of chapter 149 of General Laws as inserted by chapter 649 of Acts of 1947 shall not apply to those specifically exempted therefrom by said section or to any person on pay rolls of Fire Alarm Division of Fire Department or to any person compensated on annual salary basis of \$3,400 or more or on a weekly salary basis of \$65 or more—that same ought to pass.

The report was accepted, and the question came on the passage of the order. Councilor Muehnick moved that it be recommitted to the Executive Committee, and the motion was carried. The order was referred to the Executive Committee.

**TRAFFIC LIGHTS AT WESTLAND AVE-
NUE AND HEMENWAY STREET.**

Coun. CHASE offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install traffic lights at the intersection of Westland avenue and Hemenway street.

Passed under suspension of the rules.

On motion of Councilor Russo the Council adjourned at 3.28 p. m., to meet on Monday, December 15, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 15, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Carey and Madden.

The meeting was opened with the salute to the Flag.

APPROPRIATION FROM PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, December 15, 1947.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Board of Park Commissioners requesting the appropriation of \$18,394.07 from the income of the George F. Parkman Fund, to be expended under the direction of the Board of Park Commissioners for the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1887.

The 1947 budget estimates of the personal service requirements of the Park Department included an estimate of the total income of \$180,000 from the Parkman Fund. The budget allowances made provision for the appropriation of this income as it accrued for the purpose of defraying the cost of work actually performed on the Common and Parks in Existence on January 12, 1887.

I submit herewith an order appropriating the sum of \$18,394.07, the accrued income now available from the Parkman Fund, and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, December 12, 1947.
Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners, you are respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$18,394.07, 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.....\$18,394 07

When making up the budget estimates for the year 1947, a sum equal to the total yearly income of the George F. Parkman Fund was deducted from A-1, Permanent Employees, with the understanding that this deduction was to be replaced by the total yearly income of said Parkman Fund for 1947, to be transferred as it accrued from time to time during the year to the regular maintenance appropriation of the Park Department.

Respectfully yours,
JOHN J. MURPHY, Chairman.

Ordered, That the sum of \$18,394.07 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.....\$18,394 07

Referred to Committee on Parkman Fund.

AMENDMENT OF COMPENSATION AND CLASSIFICATION PLANS.

The following was received:

City of Boston,
Office of the Mayor, December 15, 1947.
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,
JAMES M. CURLEY, Mayor.

City of Boston,
Budget Department, December 15, 1947.
To the Mayor and City Council.

Honorable Dear Sirs,—In accordance with the provisions of Rule 3 of the "Rules for the Administration of Classification and Compensation Plans for the Employees of Suffolk County," the Penal Institutions Commissioner has forwarded the attached request for the establishment of the classification "Supervisor of Industries" at the House of Correction.

After an investigation of the actual and proposed duties and responsibilities of this position, I hereby recommend that the following new classification be established:

Title of Class: Supervisor of Industries.
Duties: Under general direction, to have charge of, and be responsible for, the work connected with the industries established at the House of Correction, and under pertinent statutes to act as agent in the procurement of equipment, materials, and supplies for the industries, and in the distribution of the completed products; and to perform other related work.

Fixed Salary: Annual, \$3,500.
Very truly yours,
JOHN A. SULLIVAN,
Budget Commissioner.

City of Boston,
Penal Institutions Department,
December 5, 1947.

Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—Attached please find original communication signed by George F. A. Mulcahy, Master of the Suffolk County House of Correction.

I have investigated this classification of new position and find that Mr. George H. Donovan, who is now a deputy master, is performing his duties in a very creditable manner. Industries in a correctional institution are one of the most important factors in keeping the inmates occupied, and proper supervision of these industries is absolutely essential. Supervision of the industries at the House of Correction, for the past few years, has been on a more or less part-time basis and I am firmly of the belief that full-time supervision of these industries is absolutely necessary.

I find, therefore, that this proposed new classification, Supervisor of Industries, is necessary, and I do recommend it for the Suffolk County House of Correction.

I further recommend that the salary for this position be established at thirty-five hundred dollars (\$3,500) per year and maintenance.

Very truly yours,
MAXWELL B. GROSSMAN,
Penal Institutions Commissioner.

To: Maxwell B. Grossman, Commissioner, Penal Institutions Department.

From: George F. A. Mulcahy, Master, House of Correction.

Subject: Classification of New Position.

For some time now Mr. George H. Donovan has been acting as construction and maintenance deputy master at this institution. He has performed the duties of this position in a very creditable manner.

In addition to the duties of his present position he has been carrying on, on a part-time basis, the supervision of the industries established under the provisions of the Statutes.

Taking into consideration the status, financial and otherwise, of the industries accounts here in late 1945 and the present healthy condition of these same accounts, Mr. Donovan's supervision of this phase of the work here speaks for itself.

Mr. Donovan's original appointment in 1933 was that of shoe supervisor, and he is familiar

with the procedure in the industries as to procurement of equipment, material, and supplies, and the disposal of the completed product. Accordingly, it is recommended that steps be taken in conformity with the procedure outlined in Document No. 54 of 1944, known as the Compensation and Classification Plans for the Officers and Employees of Suffolk County, for the creation of the following new position at this institution with the view in mind of having Mr. Donovan appointed to this position for which he is peculiarly fitted.

Proposed New Classification — Supervisor of Industries: Under direction to have charge of, and be responsible for, the work connected with the industries established at the House of Correction, and under pertinent statutes to act as agent in the procurement of equipment, materials, and supplies for the industries, and in the distribution of the completed products; to perform other related work.

It is felt that such a move will be for the best interests of the institution in that it will allow an administrative official to devote his full time to the work of the industries here.

GEORGE F. A. MULCAHY, Master.

Ordered, That the Compensation and Classification Plans for the Officers and Employees of Suffolk County, as amended, be, and hereby are, further amended by inserting the following new classification:

Title of Class: Supervisor of Industries.

Duties: Under general direction, to have charge of, and be responsible for, the work connected with the industries established at the House of Correction, and under pertinent statutes to act as agent in the procurement of equipment, materials, and supplies for the industries, and in the distribution of the completed products; and to perform other related work.

Fixed Salary: Annual, \$3,500.

Referred to Committee on County Accounts.

TRANSFER OF APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, December 15, 1947.

To the City Council.

Gentlemen,—The enclosed requests for transfer of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for health Department, A-1, Permanent Employees, \$7,000, to the appropriation for City Council Proceedings, B-1, Printing and Binding, \$6,800, B-29, Stenographic and Copying, \$200.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Fire Department, F-7, Pensions and Annuities, \$13,600, to the appropriation for City Documents, B-1, Printing and Binding, \$13,600.

Ordered, That in accordance with the provisions of sections 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Institutions Department, Long Island Hospital, A-1, Permanent employees, \$805, to the appropriation for Institutions Department, Steamers "James Michael Curley" and "Michael J. Perkins" B-10, Rent, Taxes and Water, \$80, B-39, General repairs, \$500, C-3, Electrical, \$225.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Municipal Court, City of Boston, A-1, Permanent Employees, \$10,143.50; Superior Court, Civil Session, Clerk's Office, A-1, Permanent Employees, \$7,500; to the appropriation for Superior Criminal Court, B-1, Printing and Binding, \$1,229.50; B-4, Transportation of Persons, \$7,500; B-12, Bond and Insurance Premiums, \$75; B-28, Expert, \$300; B-34, Jurors, \$5,000; B-39, General Repairs, \$25; D-2, Food and Lco, \$3,500; D-16, Miscellaneous Supplies, \$14.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Associate Medical Examiner Service, Southern Division, B-5, Express Charges, \$115, to the appropriation for Associate Medical Examiner Service, Southern Division, A-2, Temporary Employees, \$115.

Referred to the Executive Committee.

APPOINTMENTS BY THE MAYOR.

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

Weighters of Goods for term ending April 30, 1948:

Seymour Remis, 128 Chestnut street, Chelsea, Mass.

Cyril Applebaum, 26 Johnston road, Dorchester, Mass.

Israel A. Wiener, 27 Almont street, Dorchester, Mass.

Severally referred to the Committee on Comptables and Confirmations.

PETITIONS REFERRED.

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

Claims.

Beaconsfield Delicatessen, Inc., for compensation for damage to property at 157 Sutherland road, Brighton, caused by defective sewer.

Capitol Hardware & Radio Company, for compensation for damage to property at 153 Sutherland road, caused by defective sewer.

William Cohen, for compensation for damage to car caused by paint on car while driving through Sumner Tunnel.

Mary B. Connolly, for compensation for injuries caused by an alleged defect in Warren street, Charlestown.

Frank M. Curtis, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

Elizabeth M. Dooling, for compensation for injuries caused by an alleged defect in East Boston Ferry.

Louis English, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

R. A. Fogg, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

Alice E. Friary, for compensation for injuries caused by an alleged defect in Massachusetts avenue.

Hixon Management, Inc., for compensation for damage to property at 1152 Commonwealth avenue, caused by defective sewer.

Charles Interbartolo, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

Charles A. Malley, Trustee of Ten Sixty-Six Trust, for compensation for damage to property at 1140-1148 Commonwealth avenue, caused by defective sewer.

Joseph L. Murphy, to be reimbursed as result of accident which occurred while in performance of duty as employee of Fire Department.

Victor J. Myette, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

Packy's, Inc., for compensation for damage to property at 149 Sutherland road, caused by defective sewer.

Edna Teitel, for compensation for injuries caused by an alleged defect at 5 Verrill street.

Executive.

Petition of Mary E. Vogel, to be paid annuity on account of death of her husband, Frank N. Vogel, late member of the Fire Department.

Committee on Licenses.

Petition of Charlestown Daylight Alleys, James J. Uvello, 575 Rutherford avenue, Charlestown, to operate bowling alleys on the Lord's Day.

PERMITS FOR CHILDREN.

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

Paul Gould Dance Studio, Jordan Hall, December 20.

Tributary Children's Theatre, New England Mutual Hall, December 13 and 20.

Permits granted under usual conditions.

TRANSIENT VENDOR'S LICENSE.

A petition for transient vendor's license was received from Francesco A. Maglio, Jr., for sale at 57 Brooks street, East Boston.

Permit granted under usual conditions; fee paid, and bond approved.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of the following, having been duly approved by the City Treasurer, were received and approved by the Council, viz.:

Abram Bornstein, Theodore J. Zaborski.

APPROVAL OF \$3,000,000 HOUSING LOAN.

A notice was received from the Emergency Finance Board of vote passed December 12, 1947, approving borrowing of \$3,000,000, to be loaned to Boston Housing Authority for construction of low-income housing development on Cathedral site, in cooperation with Public Housing Administration under so-called McCarthy Act.

Placed on file.

APPOINTMENT OF JUSTICES.

Notice was received from the Chief Justice of the Supreme Judicial Court of appointment of justices as administrative committee of district courts, to take effect January 1, 1948, and to be for a period of two years.

Placed on file.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Henry J. Olsiewski, 71 Milton avenue, Dorchester, as Weigher of Coal, for term ending April 30, 1948—recommending that appointment be confirmed.

The report was accepted, and the question came on confirmation. Committee, Councilors Kinsella and Moriarty. Whole number of ballots 12, yeas 12, and the appointment was confirmed.

WORK COMPLETED IN 1947 UNDER HIGHWAY LOAN.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to furnish the City Council with an itemized list of the work completed in the year 1947 under the \$2,000,000 Highway Loan passed by the City Council on June 25, 1947, and be it further

Ordered, That this list include the number of miles of streets completed, the names of the contractors and the amount of work given each,

and the price paid for same, and finally the amount of work contracted for in 1947 which will have to be carried over into 1948 for completion.

Passed under suspension of the rules.

APPROPRIATION FOR SOCIAL LAW LIBRARY.

President KELLY 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.

The roll was called, and the order was passed, yeas 15, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, McCormack, Moriarty, Russo, Sullivan—15.

Nays—0.

INVESTIGATION OF NEED OF PARKING METERS.

Coun. CHASE moved that his order, No. 1 on the table, requesting Boston Finance Commission to investigate need of parking meters be taken from the table. The motion was not carried.

NEW EDITION OF "BOSTON'S STREETS."

Coun. BAYLEY offered the following:

Ordered, That the Superintendent of Printing be authorized and directed to print a new edition of one thousand copies, bound in boards, of the book entitled "Boston's Streets," with the precinct changes, if any, made by the Election Commissioners, to December 31, 1947, and the list of streets, etc., added to and corrected by the Board of Street Commissioners up to the date of publication; said copies to be distributed under the direction of the Committee on Printing, and the expense to be charged to the Contingent Fund.

Passed under suspension of the rules.

HALF-DAY OFF FOR CHRISTMAS SHOPPING.

Coun. HANNON offered the following:

Ordered, That his Honor the Mayor direct the various department heads to grant to each of their employees one half-day off in which to do their Christmas shopping.

Passed under suspension of the rules.

ACCEPTANCE OF CHAPTER 425, ACTS OF 1947.

Coun. HANNON offered the following:

Ordered, That chapter 425 of the Acts of 1947 entitled "An Act Relative to Charges by the School Committee of the City of Boston for Admission to Athletic Contests and Games Conducted by It" be, and hereby, is, accepted.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Kinsella, the Council voted at 2:20 p. m. to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 3 p. m.

EXECUTIVE REPORTS.

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

Report on message of Mayor and orders (referred today) for transfers of appropriations—that same ought to pass.

The report was accepted, and the orders were passed, yeas 15, nays 0:

Yeas—Councilors Bayley, Cantwell, Chase, Coffey, Cook, Fish, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo, Scannell—15.
Nays—0.

REPORT OF COMMITTEE ON PARKMAN FUND.

Coun. LANE, for the Committee on Parkman Fund, submitted the following:

Report on message of Mayor and order (referred today) appropriating \$18,394.07 from income of Parkman Fund, to be expended under direction of the Park Commissioners for Maintenance and Improvement of Common and Parks in Existence on January 12, 1887—that same ought to pass.

The report was accepted, and the order was passed, yeas 17, nays 0:

Yeas—Councilors Bayley, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo, Scannell—17.
Nays—0.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. MORIARTY, for the Committee on Public Lands, submitted the following:

1. Report on message of Mayor and order (referred November 12, 1946) for sale of land on West Broadway, and C and Athens streets, South Boston, at public auction at upset price of \$7,500—that same ought to pass.

The report was accepted, and the order was given its first reading and passage, yeas 16, nays 0:

Yeas—Councilors Bayley, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo—16.
Nays—0.

2. Report on message of Mayor and order (referred May 19) granting abandonment of easements reserved in Charlestown Wharf Company and William B. Swett deeds to Commonwealth of Massachusetts, Port of Boston Authority; and acceptance by city of rights and easements for drain or common sewer to be constructed at expense of Commonwealth at Hoosac Piers, Charlestown—that same ought to pass.

The report was accepted, and the order was given its first reading and passage, yeas 16, nays 0:

Yeas—Councilors Bayley, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo—16.
Nays—0.

3. Report on message of Mayor and order (referred April 1, 1946) for sale of land at 245 Summer street, East Boston, at public auction at upset price of \$1,500—that same ought to pass.

The report was accepted, and the order was given its first reading and passage, yeas 16, nays 0:

Yeas—Councilors Bayley, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo—16.
Nays—0.

REPORT OF COMMITTEE ON CLAIMS.

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

1. Report on petition of Michael Kaczka (referred December 1) 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:

Ordered, That the sum of twenty-nine dollars and sixty-two cents (\$29.62) be allowed and paid to Michael Kaczka 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 on petition of William T. Logue (referred December 1) 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:

Ordered, That the sum of one thousand eighty dollars (\$1,080) be allowed and paid to William T. Logue 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 on petition of Laurence J. Connelly (referred December 1) to be reimbursed for amount of execution issued against him on account of his acts as operator of police car—recommending passage of accompanying order:

Ordered, That the sum of two thousand two hundred fifty-one dollars (\$2,251) be allowed and paid to Laurence J. Connelly in reimbursement for amount of execution issued against him on account of his acts as operator of a Police Department car, said sum to be charged to the Contingent Fund.

The reports were accepted, and the orders were severally passed.

LOAN FOR \$4,000,000 FOR LOW-INCOME HOUSING DEVELOPMENT.

Coun. LINEHAN called up, under unfinished business, No. 1 on the Calendar, viz.:

1. Order for loan of \$4,000,000 for low-income housing development on so-called South Boston site. On December 1, 1947, the foregoing order was read once and passed, yeas fifteen, nays none.

The question came on giving the order its second reading and passage.

The order was given its second reading and passage, yeas 19, nays 0:

Yeas—Councilors Bayley, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—19.
Nays—0.

LEASE TO JAMAICA PLAIN POST NO. 675.

Coun. McCORMACK and MORIARTY offered the following:

Ordered, That the Superintendent of Public Buildings be hereby authorized to lease the building on Thomas street, Jamaica Plain, which is under his custody, to the Jamaica Plain Post No. 675, Veterans of Foreign Wars, for a nominal consideration, for a term of five years, and on such conditions as said superintendent may deem necessary.

Passed under suspension of the rules.

WACHUSETT STREET PLAYGROUND IMPROVEMENTS.

Coun. McCORMACK offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in its 1948 budget a sum sufficient to resod, grade, etc., the Wachusett Street Playground in Ward 19.

Passed under suspension of the rules.

TRAFFIC SIGNALS, NEPONSET AND HYDE PARK AVENUES.

Coun. McCORMACK offered the following:

Ordered, That his Honor the Mayor be requested to order the Traffic Commission to install automatic traffic signals at the corner of Neponset and Hyde Park avenues, in the Roslindale section of Ward 19.

Passed under suspension of the rules.

HEALEY PLAYGROUND IMPROVEMENTS.

Coun. McCORMACK offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in its 1948 budget a sum sufficient for the repair of the back stop at the Healey Playground in Ward 19.

Passed under suspension of the rules.

JOHN W. MURPHY PLAYGROUND IMPROVEMENTS.

Coun. McCORMACK offered the following:
 Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in its 1948 budget a sum sufficient to increase the height of the back stop on the John W. Murphy Playground on Carolina avenue, Jamaica Plain.

Passed under suspension of the rules.

INCREASING MAXIMUM INCOME ELIGIBILITY OF LOW-INCOME HOUSING APPLICANTS.

Coun. LINEHAN offered the following:
 Whereas, Thousands of veterans' families and other families whose incomes are between \$2,200 to \$3,000 are ineligible for low-income housing; and

Whereas, A \$3,000 family income today is comparable to a family income of \$1,500 to \$1,800 in prewar times due to the increase in the cost of living; and

Whereas, By raising the maximum incomes of applicants for low-income housing from \$2,200 to \$2,500 it will raise the number of eligible veterans' families in Boston from 10,000 to 20,000; and by raising the maximum to \$3,000, the number of veterans' families eligible for low-rent housing will be 32,000, out of a total of 40,000 married veterans in the City of Boston as compiled by the Office of the Regional Economist, FPHA, as of July, 1947, and

Whereas, The Boston Housing Authority has requested the State Board of Housing to raise the maximum incomes which applicants for public housing can make; therefore be it

Ordered, That his Honor the Mayor be requested to confer with the State Board of Housing and the Federal Housing officials relative to increasing from \$2,200 to \$3,000 the maximum income of applicants for low-income housing.

Passed under suspension of the rules.

TRAFFIC LIGHTS FOR ENTIRE CITY.

Coun. CHASE offered the following:
 Ordered, That the chairman of the Traffic Commission be requested, through his Honor the Mayor, to include a sufficient sum of money in his budget for the purchase of necessary traffic lights throughout the entire city.

On motion of Councilor Cook the order was laid on the table.

STREET LIGHT, CLARENCE STREET, ROXBURY.

Coun. HURLEY offered the following:
 Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to install an electric street light in front of No. 36 Clarence street, Roxbury, Ward 8.

Passed under suspension of the rules.

PARKING METERS.

Coun. RUSSO moved that the message of the Mayor and order for the acquisition of parking meters, referred to the Executive Committee on December 1, 1947, be taken from that committee. Councilor Russo later withdrew this motion.

REQUESTED PUBLIC HEARING ON PURCHASE OF PARKING METERS.

Coun. MUCHNICK offered the following:
 Ordered, That the Executive Committee hold a public meeting, duly advertised, before the next Council meeting, on pending order before the committee concerning authorization to purchase parking meters.

The order was passed under suspension of the rules.

ADJOURNMENT.

Coun. COFFEY moved that the Council adjourn.

President KELLY declared the motion carried. Councilor Muchnick doubted the vote and asked for a roll call, and a sufficient number supporting him, the roll was called, and the motion to adjourn was carried, yeas 9, nays 6:

Yeas—Councilors Coffey, Cook, Fish, Hurley, Keenan, Kelly, Kinsella, Moriarty, Scannell—9.

Nays—Councilors Bayley, Cantwell, Chase, Linchan, Muchnick, Russo—6.

Adjourned at 4 p. m., to meet on Monday, December 22, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)



CITY OF BOSTON.

Proceedings of City Council.

Monday, December 22, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Carey and Madden.

The meeting was opened with the salute to the Flag.

APPOINTMENTS BY THE MAYOR.

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

Constable, for term ending April 30, 1948, authorized to serve civil process upon filing of bond: Thomas P. Reilly, 36 Brookvale street, Dorchester.

Weighers of Goods, for term ending April 30, 1948: Andrew J. Condon, 54 Mansfield street, Allston; David C. Emond, 19 Myrtle street, Boston; William K. MacMillan, 19 Myrtle street, Boston.

Severally referred to Committee on Constables and Confirmations.

APPROPRIATION FOR EAST BOSTON DISTRICT COURT.

The following was received:

City of Boston,

Office of the Mayor, December 22, 1947.

To the City Council.

Gentlemen,—There is attached herewith communication from the Clerk of the East Boston District Court addressed to the City Auditor, requesting that the sum of \$100.12 be made available so that he may distribute this amount to the various defendants rightfully entitled to such a return of bail money which they deposited with the court, and which was lost by the closing of the Federal National Bank, where these funds were deposited.

In compliance with this request, there is forwarded herewith an order appropriating this sum from the County of Suffolk Contingent Fund, and I recommend its passage by your Honorable Body.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

East Boston District Court,

December 8, 1947.

MR. CHARLES J. FOX,
Auditor.

DEAR SIR,—When the Federal National Bank paid the final dividend to the depositors of the closed bank, there then remained an unpaid balance of deposit due this court amounting to the sum of \$100.12, which was part of the funds paid into this court by defendants and others as cash bail or tender for civil cases.

We have not as yet paid these persons who are entitled to the return of their funds, and since 1938 or 1939 we have been carrying this amount on "Memo" to balance out our cash and other accounts.

The examiners of the Division of Accounts are insistent that this money be returned to the rightful bail depositors to whom it belongs, in order to clear our books and records.

Due to the fact that we were compelled to surrender the proof of claim on the payment of the final dividend by the comptroller of national banks, we cannot submit that document with this letter.

I am, therefore, requesting reimbursement from the County of Suffolk in the sum of \$100.12 in order that I may distribute this amount to the various defendants rightfully entitled to such a

return of bail money which they deposited with this court, and which was lost by the closing of our bank depository.

Thanking you for your kind attention to this matter, I am

Very truly yours,
WILLIAM H. BARKER, Clerk.

Ordered, That the sum of \$100.12 be, and the same hereby is, appropriated, to be expended under the direction of the Clerk of the East Boston District Court, the same to be charged to the Contingent Fund for the County of Suffolk.
Referred to the Executive Committee.

TRANSFER OF APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, December 22, 1947.

To the City Council.

Gentlemen,—The enclosed requests for transfer of appropriations, together with the accompanying orders, are forwarded for consideration and adoption by your Honorable Body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer from the appropriation for Police Department, A, Personal Service, Permanent Employees, \$15,000, to the appropriation for Hospital Department, Sanatorium Division, D, Supplies, Food and Ice, \$15,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer from the appropriation for County Buildings, B-39, Contractual Services, General Repairs, \$1,000, to the appropriation for Public Buildings Department, B-39, Contractual Services, General Repairs, \$1,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer from the appropriation for Police Department, A, Personal Service, Permanent Employees, \$10,000, to the appropriation for Department of Veterans' Services, F-8, Special Items, State and Military Aid, Soldiers' Relief, and Burials, \$10,000.

Ordered, That in accordance with the provisions of section 3B of chapter 486 of the Acts of 1909, as amended by chapter 604 of the Acts of 1941, the City Auditor be, and hereby is, authorized to transfer from the appropriation for Jail, B-8, Contractual Services, Light, Heat and Power, \$500; B-39, Contractual Services, General Repairs, \$500, to the appropriation for Jail Improvements, \$1,000.
Referred to the Executive Committee.

PETITIONS REFERRED.

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

Claims.

—Adelaide M. Arivella, for compensation for damage to car by fire truck.

—Mr. M. Binder, for compensation for damage to car by snowplow.

—Arthur J. Cullinane, to be reimbursed as result of execution issued against him.

—Martha E. DeTrude, for compensation for injuries caused by an alleged defect in Cornhill.

—James J. Flannery, for compensation for damage to property at 17 Roslin street, caused by defective catch-hasin.

—Zita E. Fleming, for compensation for damage to car caused by an alleged defect at 3 Sargent street.

—Henry A. Foster, to be reimbursed for execution issued against him.

Agnes C. McAlindon, for compensation for injuries caused by an alleged defect in St. Alphonsus street.

Dorothy O'Brien, for compensation for damage to car caused by being sprayed with paint while driving through Summer Tunnel.

Edward S. Ryan, for compensation for damage to car by fire apparatus.

John J. Silvia, for compensation for injuries caused by city truck.

Melvin H. Simons, for compensation for damage to car by fire apparatus.

Frank Stanton, for compensation for injuries caused by an alleged defect in Chelsea street.

Mary H. Tryder, for compensation for injuries caused by an alleged defect at 570 Weld street.

Mrs. B. Tucker, for compensation for injuries caused by an alleged defect in Bunker Hill street.

Harold Yoffa, for compensation for damage to car caused by being sprayed with paint while driving through Summer Tunnel.

Robert Bodoin, Jr., for compensation for injuries caused by an alleged defect in Porter street.

Rudolph Cataldo, for compensation for damage to car caused by being sprayed with paint while driving through Summer Tunnel.

Mary F. Keane, for compensation for injuries caused by snow and ice at North Market street and Faneuil Hall square.

Raymond Pinardi, for compensation for damage to car caused by being sprayed with paint while driving through Summer Tunnel.

PERMIT FOR MINOR CHILDREN.

A petition for children under 15 years of age to appear at places of public amusement was received as follows:

Tributary Children's Theatre, New England Mutual Hall, December 27 and January 24.

Permit granted under usual conditions.

LEASE OF LAWRENCE SCHOOL, SOUTH BOSTON.

A communication was received from the School Committee requesting authorization from the Council to lease to Dorchester Detachment, Marine Corps League, the Lawrence School, B and Third streets, South Boston; such occupancy to be discontinued at the will of the School Committee.

Placed on file.

APPROVAL OF VETERANS' HOUSING PROJECTS.

Notices were received from the State Board of Housing stating that resolutions were passed by the Board approving plans, layout, estimated cost, proposed method of financing, and detailed estimate of expenses and revenues of following veterans' housing projects:

River street, Mattapan, contract No. 8, consisting of 32 dwelling units at an estimated cost of \$393,368.

River street, Mattapan, contract No. 9, consisting of 50 dwelling units at an estimated cost of \$577,885.

River street, Mattapan, contract No. 10, consisting of 34 dwelling units at an estimated cost of \$396,055.

Severally placed on file.

COMMUNICATION FROM MASSACHUSETTS STATE AUTOMOBILE DEALERS' ASSOCIATION.

A communication was received from the Massachusetts State Automobile Dealers' Association protesting proposed increase in license fees for new car dealers, and asking to be granted a hearing before Council takes definite action on the matter.

Placed on file.

REPORT OF COMMITTEE ON COUNTY ACCOUNTS.

Coun. BRYAN, for the Committee on County Accounts, submitted the following:

Report on message of Mayor and order (referred December 15) for amendment of compensation and classification plans *re* Supervisor of Industries, Penal Institutions Department—that same ought to pass.

The report was accepted, and the order was passed.

REPORT OF COMMITTEE ON CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment of Seymour Remis (referred December 15) to be Weigher of Goods for term ending April 30, 1948—recommending that appointment be confirmed.

Report on appointment of Cyril Applebaum (referred December 15) to be Weigher of Goods for term ending April 30, 1948—recommending that appointment be confirmed.

Report on appointment of Israel A. Wiener (referred December 15) to be Weigher of Goods, for term ending April 30, 1948—recommending that appointment be confirmed.

The reports were accepted, and the question came on confirmation.

Committee, Councilors Lane and Bayley. Whole number of ballots 13, yeas 13, and the appointments were confirmed.

HAPPY CHRISTMAS AND NEW YEAR TO PEOPLE OF CITY.

Coun. KINSELLA offered the following:

Resolved, That the Boston City Council in meeting assembled, this 22nd day of December, 1947, unanimously extends to the people of the City of Boston its best wishes for a happy Christmas filled with peace and contentment and for a prosperous and Happy New Year, and be it further

Resolved, That the Boston City Council, individually and collectively, mindful of the great beneficences of the people of the City of Boston, sincerely hopes that the happy conditions of the Christmastide will descend upon the people and remain with them forever.

Passed under suspension of the rules by a unanimous rising vote.

TOT PLAY AREA FOR WARD TWO.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to include in the Park Department budget for 1948 a sum sufficient to cause to be constructed a tot play area on the northerly side of Haverhill street in Ward 2, at approximately No. 52 in the numbering of said street.

Passed under suspension of the rules.

ADULT SWIMMING POOL, DOHERTY HEIGHTS PARK.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to include in the Park Department budget for 1948, if the money cannot be procured from any other source, a sum sufficient to cause to be constructed an adult swimming pool on the Doherty Heights Park property in the Ward 2 district of Boston.

Passed under suspension of the rules.

SHELTER FOR LOWER-LEVEL PLATFORM, NORTH STATION.

Coun. KINSELLA offered the following:

Ordered, That his Honor the Mayor be requested to confer with the trustees of the Metropolitan Transit Authority for the purpose of

causing to be erected a shelter on the platform of the Charlestown-bound side of the lower level of the North Station.

Passed under suspension of the rules.

SKELETON FORCE FOR FRIDAYS FOLLOWING HOLIDAYS.

Coun. COFFEY offered the following:

Ordered, That his Honor the Mayor consider the advisability of permitting a skeleton force to operate in the city on the Fridays following Christmas and New Year's.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Coffey, the Council voted to take a recess at 2.20 p. m. The members reassembled and were called to order by President KELLY at 3.03 p. m.

EXECUTIVE REPORTS.

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

1. Report on message of Mayor and orders (referred today) for transfers of appropriations—that same ought to pass.

The report was accepted, and the question came on the passage of the orders. The orders were passed, yeas 19, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Russo, Scannell, Sullivan—19.

Nays—0.

2. Report on message of Mayor and order (referred today) for appropriation of \$100.12 to be expended under direction of Clerk of East Boston District Court, to be charged to Contingent Fund for County of Suffolk—that same ought to pass.

The report was accepted, and the question came on the passage of the order. The order was passed, yeas 20, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—20.

Nays—0.

3. Report on message of Mayor and order (referred April 28) for sale of land at Commonwealth and Chestnut Hill avenues, at public auction, at an upset price of \$110,000—that same ought to pass.

The report was accepted, and the question came on giving the order its second reading and passage. The order was given its second reading and passage, yeas 20, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—20.

Nays—0.

4. Report on message of the Mayor and order (referred December 8) that 40-hour week shall not apply to those specifically exempted in Act or to any person on pay rolls of Fire Alarm Division of Fire Department, or to any person compensated for his services on an annual salary basis of \$3,400 or more or on a weekly salary basis of \$65 or more—that same ought to pass.

The report was accepted, and the order was passed, yeas 20, nays 0:

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—20.

Nays—0.

5. Report on message of Mayor and order (referred December 1) authorizing Traffic Commission to enter into agreement for acquisition and installation of not more than 5,000 parking meters—that same ought to pass.

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

Coun. CHASE moved that the order be laid on the table, but the motion was not carried.

The roll was called, and the order was passed, yeas 18, nays 2:

Yeas—Councilors Bayley, Bryan, Cantwell, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Kinsella, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—18.

Nays—Councilors Chase, Coffey—2.

Coun. CHASE moved reconsideration, but the motion for reconsideration was lost.

REPORT OF COMMITTEE ON ORDINANCES.

Coun. HURLEY, for the Committee on Ordinances, submitted the following:

Report on message of Mayor and ordinance (referred November 10) relative to revising certain license fees—recommending that same ought not to pass.

The report was accepted, and the question came on the rejection of the ordinance. The ordinance was rejected.

ORDINANCE REVISING CERTAIN FEES.

Coun. HURLEY offered the following:

City of Boston.

In the Year Nineteen Hundred and Forty-Seven.

AN ORDINANCE REVISING CERTAIN FEES.

Be it ordained by the City Council of Boston as follows:

SECTION 1. Section twenty-two of chapter forty-one of the Revised Ordinances of 1947 is hereby amended as follows:

By adding after clause 13 the following clauses:

14. Billiard, pool and bowling alleys, each table or alley, \$7 per annum.

15. Fruit, etc., Sunday sales, \$6 per annum.

16. Soft drinks, retail vendors, \$3 per annum.

17. Victualer, common, \$10 per annum.

The ordinance was passed under suspension of the rules.

FRANKING PRIVILEGE FOR CERTAIN VETERANS.

Coun. KINSELLA offered the following:

Resolved, That the Boston City Council unanimously objects to the cancellation by the U. S. Government of the franking privilege for veterans still confined in hospitals throughout the country.

Passed under suspension of the rules.

TRAFFIC LIGHTS, COLUMBIA ROAD AND QUINCY STREET.

President KELLY offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to include in its 1948 budget a sum sufficient to provide for the installation of traffic lights at the corner of Columbia road and Quincy street, Ward 15.

Passed under suspension of the rules.

RE-SODDING OF RONAN PARK, ETC.

President KELLY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in its 1948 budget a sum sufficient to provide for re-sodding the top of Ronan Park and repairing the benches thereon.

Passed under suspension of the rules.

RESURFACING OF ORCHARDFIELD
STREET, WARD 15.

President KELLY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include Orchardfield street, Ward 15, in the list of streets to be resurfaced during 1948.

Passed under suspension of the rules.

TRAFFIC LIGHTS, NEW HEATH STREET
AND COLUMBUS AVENUE.

Coun. MORIARTY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to arrange for the installation of traffic signal lights at New Heath street and Columbus avenue.

Passed under suspension of the rules.

MEETING OF COMMITTEE ON
ORDINANCES REQUESTED.

Coun. COOK offered the following:

Ordered, That the Ordinance Committee of the City Council be requested to hold a meeting to

determine the advisability of accepting section 2 of chapter 592 of the Acts of 1946, as amended by chapters 427, 568, and 609 of the Acts of 1947.

Referred to the Committee on Ordinances.

NEW VOTING PRECINCT AT CAMP
McKAY.

Coun. HANNON offered the following:

Ordered, That the Board of Election Commissioners be directed to establish a new voting precinct at Columbia Village, otherwise known as Camp McKay.

Passed under suspension of the rules.

Adjourned, on motion of Councilor Russo, at 4.05 p. m., to meet on Monday, December 29, 1947, at 2 p. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.

(Stenographic copy of such debate on file in office of City Clerk.)

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 29, 1947.

Regular meeting of the City Council held in the Council Chamber, City Hall, at 2 p. m., President KELLY in the chair. Absent, Councilors Carey and Madden.

The meeting was opened with the salute to the Flag.

REPORT OF COMMITTEE ON
CONSTABLES AND CONFIRMATIONS.

Coun. BRYAN, for the Committee on Constables and Confirmations, submitted the following:

Report on appointment (referred December 22) of Thomas P. Reilly, as Constable for term ending April 30, 1948, authorized to serve civil process upon filing of bond—recommending that appointment be confirmed.

Report on appointments (referred December 22) of William K. MacMillan, David C. Emond, and Andrew J. Condon, to be Weighers of Goods for term ending April 30, 1948—recommending that appointments be confirmed.

The reports were accepted, and the question came on confirmation. Committee, Councilors Bayley and Scannell. Whole number of ballots 12, yeas 12, and the appointments were confirmed.

PETITIONS REFERRED.

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

Claims.

Leo C. Bennett, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

S. Theodore Callichy, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

Viola Eramo, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

Irving Litowsky, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

Louis F. Pagherani, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

James F. Ray, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

John A. Ridge, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

John Joseph Ryan, for compensation for injuries caused by an alleged defect at 545 Columbus avenue.

George R. Slater, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

Stanley Uva, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

RECESS.

On motion of Councilor Kinsella the Council voted at 2.10 p. m., to take a recess, subject to the call of the Chair. The members reassembled and were called to order by President KELLY at 2.27 p. m.

THE NEXT MEETING.

On motion of Councilor Sullivan it was voted that when the Council adjourn, it be to meet on Saturday, January 3, 1948, at 11 a. m.

MATTERS ON THE TABLE.

Coun. SULLIVAN moved that Nos. 1 and 2 be taken from the table and be referred to the Executive Committee. Nos. 1 and 2 were as follows:

1. Order requesting Boston Finance Commission to investigate need of parking meters.

2. Order for budget appropriation for traffic lights.

The motion to take from the table was carried. The motion to refer to the Executive Committee was carried.

ORDINANCE REVISING CERTAIN FEES.

Coun. HURLEY offered the following:

AN ORDINANCE REVISING CERTAIN FEES.

CITY OF BOSTON.

In the Year Nineteen Hundred and Forty-seven. Be it ordained by the City Council of Boston, as follows:

SECTION 1. Section twenty-two of chapter forty-one of the Revised Ordinances of 1947, as amended by chapter two (second series) of the Ordinances of 1947, is hereby further amended as follows:

In clause 3, relative to transportation of milk, line 5, by striking out \$1 and inserting \$2.

In clause 5, striking out said clause and inserting the following:

5. The fee for the license for occupying or using a building or other premises for carrying on the business of slaughtering, cattle and 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 \$1,000 per annum for the slaughtering of animals, and \$100 per annum for all other noxious or offensive trades, occupations, or businesses.

In clause 9, subdivision (b), relative to signs, first line, by striking out the words "illuminated signs" and inserting the words "signs, other than cloth or canvas," and by striking out in line 6 the word "illuminated."

In clause 11, relative to storage of petroleum products, second paragraph, by striking out \$10 and inserting \$20; third paragraph by striking out \$15 and inserting \$25; fourth paragraph by striking out \$20 and inserting \$30; fifth paragraph by striking out \$40 and inserting \$50; sixth paragraph by striking out \$80 and inserting \$100.

In clause 12, in the subdivision relative to scales with weighing capacity of more than 10,000 pounds, by striking out \$3 and inserting \$5, and by inserting before the last paragraph of said clause the following: Liquid measuring devices where diameter of the inlet pipe is more than one inch, \$3.

By adding after clause 17 the following clauses:

18. Certificates by the Assessing Department of residence or real estate ownership, \$1, when records are readily available; \$5, when search in departmental vaults is necessary.

19. Licenses for auctioneers, Class 1, \$25 per annum.

20. Male dog licenses, \$2 per annum.

21. Pawnbrokers, less than six months, \$125 per annum; six months or more, \$250 per annum.

22. Appeals from Zoning Board decisions, \$25.

23. Rental, Faneuil Hall: daytime, \$15; nighttime or Sunday, \$25.

24. Street railway conductor, motorman and starter licenses, \$1.

25. Street Laying-Out Department—Making of plans where survey of premises necessary, \$15; where no survey is necessary, \$10; making of sketches for signs, marquees, etc., \$5; obtaining names and addresses of abutters and notifying of hearings, \$10.

26. Police Department—Sale of second-hand motor vehicles, under provisions of chapter 140, section 58, of the General Laws:

Class 1, agent or seller's license, \$150 per annum.

Class 2, used car dealer's license, \$300 per annum.

Class 3, motor vehicle junk license, \$100 per annum.

SECT. 2. This ordinance shall take effect beginning with the first day of January, 1948.

Coun. LINEHAN moved that the ordinance be referred to the Executive Committee.

Coun. SULLIVAN offered an amendment that the Council go into Executive Session immediately and Councilor Linehan accepted the amendment, but later Councilor Sullivan withdrew his amendment and Councilor Linehan withdrew his motion.

Coun. SULLIVAN in the chair.

Coun. COOK moved that each clause be voted upon separately. The motion was carried.

Clause 3 was read and passed.

Clause 5 was read and passed.

Clause 9 was read and passed.

Clause 11 was read.

Coun. SULLIVAN moved to amend as follows: The seventh paragraph by striking out \$150 and inserting \$300.

The eighth paragraph by striking out \$250 and inserting \$500.

The ninth paragraph by striking out \$500 and inserting \$1,000.

The tenth paragraph by striking out \$1,000 and inserting \$2,000.

The amendment was carried. Clause 11, as amended, was passed.

Clause 12 was read and passed.

Clause 18 was read.

Coun. LINEHAN moved the \$5 charge be stricken out and a flat \$1 charge substituted. The amendment was carried. The clause, as amended, failed of passage, yeas 8, nays 8:

Yeas—Councilors Coffey, Cook, Keenan, Kelly, Kinsella, McCormack, Russo, Scannell—8.

Nays—Councilors Bayley, Cantwell, Chase, Hannon, Lane, Linehan, Moriarty, Muchnick—8.

Voting present—Councilors Fish, Sullivan—2.

Clause 19 was read and passed.

Clause 20 was read and passed.

Clause 21 was read and passed.

Clause 22 was read.

Coun. LINEHAN moved that the fee be \$20 instead of \$25, and the clause, as amended, was passed.

Clause 23 was read and passed.

Clause 24 was read and passed.

Clause 25 was read and passed.

Clause 26 was read.

Coun. KEENAN moved that the fee for Class 2 be \$150 instead of \$300, and the question came on the adoption of the amendment.

President KELLY, being in doubt, asked for a roll call.

The roll was called and the amendment was lost, yeas 8, nays 9:

Yeas—Councilors Chase, Hannon, Keenan, Kelly, Lane, Linehan, McCormack, Muchnick—8.

Nays—Councilors Bayley, Bryan, Coffey, Cook, Kinsella, Moriarty, Russo, Scannell, Sullivan—9.

Voting present—Councilor Hurley—1.

Coun. KEENAN moved reconsideration.

President KELLY, being in doubt as to the voice vote, asked for a roll call. The roll was called and reconsideration prevailed, yeas 10, nays 9:

Yeas—Councilors Cantwell, Chase, Fish, Hannon, Keenan, Kelly, Lane, Linehan, McCormack, Muchnick—10.

Nays—Councilors Bayley, Bryan, Coffey, Cook, Kinsella, Moriarty, Russo, Scannell, Sullivan—9.

Coun. KEENAN moved to amend to \$200 instead of \$300.

Coun. COFFEY moved to further amend to \$250.

President KELLY ruled that there could not be an amendment to an amendment.

The amendment to reduce to \$200 was declared lost. Councilor Muchnick doubted the vote and asked for a roll call.

The roll was called and the motion to amend to \$200 was lost, yeas 9, nays 10:

Yeas—Councilors Bryan, Cantwell, Chase, Fish, Hannon, Keenan, Lane, Linehan, Muchnick—9.

Nays—Councilors Bayley, Coffey, Cook, Hurley, Kelly, Kinsella, McCormack, Russo, Scannell, Sullivan—10.

The question came on Councilor Keenan's motion to substitute \$150. The motion to amend was declared lost. Councilor Muchnick doubted the vote and asked for a roll call, and a sufficient number supporting him, the roll was called. The motion to amend was lost, yeas 10, nays 10:

Yeas—Councilors Bryan, Cantwell, Chase, Fish, Hannon, Keenan, Kelly, Lane, Linehan, Muchnick—10.

Nays—Councilors Bayley, Coffey, Cook, Hurley, Kinsella, McCormack, Moriarty, Russo, Scannell, Sullivan—10.

Coun. SULLIVAN moved that the \$300 be stricken out, and \$250 inserted in clause 26, Class 2. The motion was declared carried but Councilor Cook doubted the vote and asked for a roll call. The motion to amend by substituting \$250 for \$300 was carried, yeas 12, nays 8:

Yeas—Councilors Bryan, Cantwell, Chase, Fish, Hannon, Kelly, Lane, Linehan, McCormack, Moriarty, Scannell, Sullivan—12.

Nays—Councilors Bayley, Coffey, Cook, Hurley, Keenan, Kinsella, Muchnick, Russo—8.

Coun. LINEHAN moved that Class 1 under clause 26 be amended from \$150 to \$100. The motion was declared not carried, but Councilor Linehan doubted the vote and asked for a roll call. The roll was called and the motion was lost, yeas 7, nays 9:

Yeas—Councilors Bryan, Cantwell, Chase, Hannon, Linehan, McCormack, Muchnick—7.

Nays—Councilors Bayley, Coffey, Fish, Keenan, Kelly, Moriarty, Russo, Scannell, Sullivan—9.

The question came on the passage of clause 26, as amended, and it was passed.

Coun. SULLIVAN moved reconsideration of clause 18. The motion for reconsideration was lost.

The ordinance, as amended, was passed.

CONVEYANCE OF LAND TO ROMAN CATHOLIC ARCHBISHOP.

The following was received:

City of Boston,

Office of the Mayor, Boston, December 29, 1947.

To the City Council.

Gentlemen,—The Roman Catholic Archbishop of Boston is erecting St. Ignatius of Loyola Church on Commonwealth avenue adjacent to the reservoir at Chestnut Hill.

The City of Boston owns certain parcels of land bounding the church property and lying between said church property and the present reservoir driveways. This land was originally acquired by the city for Water Department purposes but after the transfer of the reservoir basin to the Metropolitan Water Board in 1898 said land was transferred to the control of the Park Department.

In order that the church property may have proper and sufficient means of access and egress to the city's existing roadways, leading from Commonwealth avenue and bounding the reservoir, it is necessary that the Church acquire from the City of Boston approximately 15,230 square feet of land.

Rev. Thomas M. Herlihy, S. J., pastor of St. Ignatius of Loyola Church, informs me that the proposed area of land, if conveyed by the city, will be used for purposes of providing walks and driveways as approaches to the present church property, the same to be constructed at the sole expense of the Archdiocese.

The Board of Park Commissioners informs me that the Park Department has no use for the said area of land and that the transfer of, as well as the use of, said land for the construction of walks and driveways thereon will result in a benefit to the church property and provide a more beautiful approach to the reservoir grounds.

In my opinion this parcel of land is not devoted to, nor is it suitable or adaptable for, a public use or purpose; that this parcel of land should be conveyed to the Roman Catholic Archbishop of Boston for the sum of \$1 on the condition that the said land be used for the purpose of constructing walks and driveways thereon at the expense of the Archdiocese.

I recommend your consideration and passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Whereas, The City of Boston owns in fee a certain parcel of land containing approximately fifteen thousand two hundred thirty (15,230) square feet situated on the southerly side of Commonwealth avenue at the so-called Lake Street entrance to the Chestnut Hill Park and Reservoir; and

Whereas, The said parcel of land is now in the custody, care and control of the Board of Park

Commissioners for Park Department purposes, and the Board of Park Commissioners has declared the said parcel of land is no longer required for Park Department purposes; now, therefore, it is hereby

Ordered, That the Board of Park Commissioners of the City of Boston be, and they hereby are, authorized in the name and behalf of the City of Boston to sell at private sale to the Roman Catholic Archbishop of Boston, a corporation sole in the Commonwealth of Massachusetts, the parcel of land hereinafter described for the sum of one dollar (\$1) and subject to the condition that the grantee, his successors and assigns shall grade the granted premises and construct walks and driveways thereon in accordance with a plan approved by the Board of Park Commissioners; and it is hereby further

Ordered, That his Honor the Mayor of the City of Boston be, and he hereby is, authorized in the name and behalf of the City of Boston to execute and deliver to the Roman Catholic Archbishop of Boston a written instrument satisfactory in form to the Law Department of the City of Boston conveying all the City of Boston's right, title, and interest in and to said parcel of land hereinafter described subject to the aforesaid condition and upon the payment of the sum of one dollar (\$1) to the City of Boston. Said parcel of land is bounded and described as follows:

Northerly by Commonwealth avenue, by two measurements, nine and 9/100 (9.09) and fifteen and 50/100 (15.50) feet, respectively; easterly by land of the City of Boston, one hundred sixty-three and 13/100 (163.13) feet; southeasterly by land of the City of Boston, twenty-five and 87/100 (25.87) feet; southerly by land of the City of Boston, two hundred eighty-three and 86/100 (283.86) feet; westerly by land of the City of Boston, sixty-three (63) feet; northerly by land of the Roman Catholic Archbishop of Boston, two hundred seventy-seven and 2/100 (277.02) feet; westerly by land of the Roman Catholic Archbishop of Boston, one hundred fifty-one and 79/100 (151.79) feet; containing fifteen thousand two hundred thirty (15,230) square feet of land, more or less.

Said parcel of land and all of said measurements are shown on a plan marked "City of Boston, Chestnut Hill Park, Brighton, December 22, 1947, Thomas F. McGovern, Chief Engineer, Street Laying-Out Department." The original of said plan is on file in the office of the Street Laying-Out Department, City Hall, Boston, Mass.

Referred to Committee on Public Lands.

SALE OF LAND.

President KELLY called up Nos. 1, 2, and 3 on the Calendar, under unfinished business, viz.:

1. Order for sale of land on Summer street, East Boston. On December 15, 1947, the foregoing order was read once and passed, yeas sixteen, nays none.

2. Order for sale of land on West Broadway, C and Athens streets, South Boston. On December 15, 1947, the foregoing order was read once and passed, yeas sixteen, nays none.

3. Order for release to Commonwealth of Massachusetts, Port of Boston Authority, of all rights and easements in Hoosac Docks, Charlestown. On December 15, 1947, the foregoing order was read once and passed, yeas sixteen, nays none.

The orders were given their second reading and passage, yeas 19, nays 0.

Yeas—Councilors Bayley, Bryan, Cantwell, Chase, Coffey, Cook, Fish, Hannon, Hurley, Keenan, Kelly, Lane, Linehan, McCormack, Moriarty, Muchnick, Russo, Scannell, Sullivan—19.

Nays—0.

NEW PLAYGROUND, GALLIVAN BOULEVARD AND WASHINGTON STREET.

Coun. KEENAN offered the following:
Ordered, That the Park Commission be requested, through his Honor the Mayor, to include in its 1948 budget sufficient funds for the construction of the new playground at Gallivan Boulevard and Washington street, Ward 17.
Passed under suspension of the rules.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

1. Report on petitions to operate bowling alleys on the Lord's Day:

Charlestown Daylight Alleys, James J. Uvello, 575 Rutherford avenue, Charlestown (referred December 15)—recommending that license be granted.

Mattapan Square Bowling Alleys, Joseph V. Celli, 500 River street, Mattapan (referred December 8)—recommending that license be granted.

Reports accepted; licenses granted under usual conditions.

2. Report on petition (referred August 18)—recommending passage of following order:

Ordered, That the Mayor and City Council of the City of Boston hereby consent to the laying out, use, and location of a track for midget auto racing and other racing, not including horse or dog racing, in that part of Boston known as the Dorchester district, bounded by Mount Vernon street, land of Samuel Tomasello, land of Boston Consolidated Gas Company, southerly by low water mark, land of E. B. Badger Company and the Old Colony Parkway; said bounds being more correctly and more specifically described in a petition of the Boston Stadium Corporation, filed with the City Clerk of the said City of Boston on August 18, 1947.

The report was accepted.

Coun. HANNON moved that the matter be laid over until the final meeting on Saturday and that in the meantime there be a public hearing held on either Wednesday or Friday. Councilor Hannon then amended his motion and moved to refer the matter back to the Executive Committee for public hearing on either Wednesday or Friday.

Coun. LINEHAN moved to amend by having the hearing on Friday, and Councilor Hannon accepted the amendment. The question came on the motion to refer back to the Executive Committee and to have a public hearing on Friday morning. The Chair announced that the motion was lost. Councilor Linehan doubted the vote and asked for a roll call. The motion was lost, yeas 6, nays 12:

Yeas—Councilors Bayley, Bryan, Chase, Hannon, Lane, Linehan—6.

Nays—Councilors Cantwell, Coffey, Fish, Hurley, Keenan, Kelly, Kinsella, McCormack, Moriarty, Russo, Scannell, Sullivan—12.

Coun. HANNON moved that further consideration be postponed until Saturday. The Chair announced it was not a vote. Councilor Hannon doubted the vote and asked for a roll call. The motion was lost, yeas 6, nays 11:

Yeas—Councilors Bayley, Bryan, Chase, Hannon, Lane, Linehan—6.

Nays—Councilors Coffey, Fish, Hurley, Keenan, Kelly, Kinsella, McCormack, Moriarty, Russo, Scannell, Sullivan—11.

Voting present—Councilor Cantwell—1.

The question came on the granting of the license. The Chair declared it was a vote. Councilor Linehan doubted the vote and asked for a roll call.

The roll was called and the license was granted, yeas 12, nays 6:

Yeas—Councilors Cantwell, Coffey, Fish, Hurley, Keenan, Kelly, Kinsella, McCormack, Moriarty, Russo, Scannell, Sullivan—12.

Nays—Councilors Bayley, Bryan, Chase, Hannon, Lane, Linehan—6.

Coun. LINEHAN moved reconsideration. During debate Councilor Bayley was ruled out of order and the Chair announced he would not be allowed to take the floor until he apologized to the Body. Reconsideration was declared not carried. Councilor Linehan doubted the vote and asked for a roll call. The roll was called and reconsideration was lost, yeas 7, nays 11:

Yeas—Councilors Bayley, Bryan, Chase, Cook, Hannon, Lane, Linehan—7.

Nays—Councilors Coffey, Fish, Hurley, Keenan, Kelly, Kinsella, McCormack, Moriarty, Russo, Scannell, Sullivan—11.

Adjourned on motion of Councilor Russo at 5.55 p. m., to meet on Saturday, January 3, 1948, at 11 a. m.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.
(Stenographic copy of such debate on file in office of City Clerk.)



CITY OF BOSTON.

Proceedings of City Council.

Saturday, January 3, 1948.

Final meeting of the City Council of 1947 held in the Council Chamber, City Hall, at 11 a. m., President KELLY in the chair. Absent, Councilor Madden.

The meeting was opened with the salute to the Flag.

VETO OF MIDGET AUTO RACE TRACK LICENSE.

The following was received:

City of Boston,
Office of the Mayor, January 2, 1948.
To the City Council.

Gentlemen,—I return herewith, disapproved and without my signature, the order passed by your Honorable Body on December 29, 1947, consenting to the location of a track for midget auto racing in the Dorchester district, in the vicinity of Mt. Vernon street.

I have studied this matter and have considered the opposition to the proposed enterprise, which has been voiced by the residents and property owners in this section of the city, and it is my judgment that such an enterprise would prevent a more desirable development already agreed upon, from being established in this area.

Respectfully submitted,
JAMES M. CURLEY,
Mayor of Boston.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Lindsey Bates, to be reimbursed for car recovered by police and sold at public auction.

Jason Berkovitz, for compensation for damage to car by police wagon.

Edwin C. Estey, for compensation for damage to car caused by an alleged defect at 50 Rockland street, Roxbury.

George Gentile, for compensation for damage to car and injuries caused by snowplow.

John B. Hoar, Jr., for compensation for damage to car by snowplow.

Paul A. Johnson, for compensation for damage to car caused by being sprayed by paint while driving through Sumner Tunnel.

Eleanor Keeping, for compensation for injuries caused by an alleged defect at 180 Cambridge street.

Edward F. Norberg, for compensation for damage to truck by city truck.

Edith M. Osborne, for compensation for injuries caused by an alleged defect at 91 Westland avenue.

Anthony J. Passanisi, for compensation for damage to car caused by being sprayed with paint while driving through Sumner Tunnel.

Fred Todi, for compensation for injuries caused by snowplow.

MINORS' LICENSES.

Applications for licenses were received from 13 newsboys and 3 bootblacks.

Licenses granted, under usual conditions.

REPORT OF COMMITTEE ON INSPECTION OF PRISONS.

Coun. RUSSO, for the Committee on Prisons, submitted the following:

In accordance with the provisions of chapter 126 of the General Laws, the Committee on Inspection of Prisons submits herewith its annual report.

SUFFOLK COUNTY JAIL.

The regular semiannual inspections of the jail were made. Your committee found that the food served in the institution was wholesome and the cells were in a clean and sanitary condition.

HOUSE OF CORRECTION.

The usual semiannual inspections were made by your committee and conditions at the House of Correction were found to be very satisfactory, particularly from the standpoint of sanitation and cleanliness.

Schedules of commitments and discharges at both of these institutions are herewith attached.

For the Committee,
JOSEPH RUSSO, Chairman.

The Commonwealth of Massachusetts,
County of Suffolk,
Office of Sheriff,
Frederick R. Sullivan,

June 30, 1947.

To the Inspectors of Prisons for the County of Suffolk.

Gentlemen,—I respectfully submit the following report of the commitments to and the discharges from the Suffolk County Jail from December 31, 1946, to June 30, 1947:

Remaining December 31, 1946, men, 116; women, 52; total, 168.

Committed from December 31, 1946, to June 30, 1947, men, 3,090; women, 559; total, 3,649.

Discharges from December 31, 1946, to June 30, 1947, men, 3,011; women, 547; total 3,558.

Remaining June 30, 1947, men, 197; women, 61; total, 261.

Poor debtors remaining December 31, 1947...	0
Poor debtors committed from December 31, 1946, to June 30, 1947.....	1
Poor debtors discharged from December 31, 1946, to June 30, 1947.....	1
Escapes.....	0
Recaptures.....	0
Insane.....	29
Deaths.....	2

Respectfully submitted,
FREDERICK R. SULLIVAN,
Sheriff and Jailer.

The Commonwealth of Massachusetts,
County of Suffolk,
Office of Sheriff,
Frederick R. Sullivan,

December 31, 1947.

To the Inspectors of Prisons for the County of Suffolk.

Gentlemen,—I respectfully submit the following report of the commitments to and the discharges from the Suffolk County Jail from June 30, 1947, to December 31, 1947.

Remaining June 30, 1947, men, 197; women, 64; total, 261.

Committed from June 30, 1947 to December 31, 1947, men, 3,535; women, 607; total, 4,142.

Discharged from June 30, 1947 to December 31, 1947, men, 3,571; women, 635; total, 4,206.

Remaining December 31, 1947, men, 161; women, 36; total, 197.

Poor debtors remaining June 30, 1947.....	0
Poor debtors committed from June 30, 1947 to December 31, 1947.....	2
Poor debtors discharged from June 30, 1947 to December 31, 1947.....	2
Escapes.....	0
Recaptures.....	0
Insane.....	29
Deaths.....	2

Respectfully submitted,
FREDERICK R. SULLIVAN,
Sheriff and Jailer.

Suffolk County House of Correction,

July 1, 1947.

To the Inspectors of Prisons for the County of Suffolk.

Gentlemen,—I respectfully submit the following report of the commitments to and the discharges from the Suffolk County House of Correction at Deer Island from January 1, 1947, to June 30, 1947:

Remaining December 31, 1946.....	481
Committed.....	867
Discharged.....	858
Remaining June 30, 1947.....	490

Showing How Discharged.

Expiration of sentence.....	437
Expiration of sentence and fine paid.....	7
Fine paid.....	2
Permit of Penal Institutions Commissioner.....	242
Order of the court.....	6
Fine paid and permit of Penal Institutions Commissioner.....	1
Expiration of sentence and permit of Penal Institutions Commissioner.....	2
Died.....	1
Escaped.....	2

Transferred to

Charles Street Jail.....	43
Concord Reformatory.....	3
Norfolk Prison Colony.....	1
Grafton State Hospital.....	1
Worcester Jail.....	1
State Farm.....	84
Barnstable House of Correction.....	22
Boston Psychopathic Hospital.....	2
Cambridge House of Correction.....	1

Respectfully submitted,
 GEORGE F. A. MULCAHY,
 Master.

Suffolk County House of Correction,
 January 1, 1948.

To the Inspectors of the Prisons for the County of Suffolk.

Gentlemen,—I respectfully submit the following report of the commitments to and the discharges from the Suffolk County House of Correction at Deer Island from July 1, 1947, to December 31, 1947:

Remaining July 1, 1947.....	490
Committed.....	1047
Discharged.....	1,004
Remaining December 31, 1947.....	533

Showing How Discharged.

Expiration of sentence.....	509
Expiration of sentence and fine paid.....	29
Fine paid.....	5
Permit of Penal Institutions Commissioner.....	395
Fine paid and permit of Penal Institutions Commissioner.....	2
Order of the court.....	2
Escaped.....	8

Transferred to

Barnstable House of Correction.....	1
Charles Street Jail.....	19
Concord Reformatory.....	4
Norfolk Prison Colony.....	6
Bridgewater State Farm.....	18
Salem House of Correction.....	1
Worcester County Jail.....	1
Danvers State Hospital.....	1
Grafton State Hospital.....	1
Boston State Hospital.....	1
Westborough State Hospital.....	1

Respectfully submitted,
 GEORGE F. A. MULCAHY,
 Master.

The report of the committee was accepted.

REPORT OF COMMITTEE ON CLAIMS.

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

The Committee on Claims respectfully submits the following report showing the disposition of claims during the municipal year 1947:

Claims pending January 1, 1947.....	832
Claims received during 1947.....	692
Total.....	1,524
Claims disapproved during 1947.....	369
Claims approved during 1947.....	97
Reimbursements (claims against city employees — not suits).....	56
Reimbursements (claims against city employees — suits).....	59
Total.....	581
Total.....	943

Amount paid on approved claims.....	\$14,120 38
Amount paid on reimbursements — not suits.....	6,898 77
Amount paid on reimbursements — suits.....	25,554 12
Total.....	\$46,573 27

Claims pending December 31, 1947..... 943

For the Committee,
 THOMAS E. LINEHAN, Chairman.

The report of the committee was accepted.

REPORT OF COMMITTEE ON LICENSES.

Coun. COFFEY, for the Committee on Licenses, submitted the following:

Report on petition of Thomas C. Nolan doing business as Cape Tours (referred August 4) for license to operate motor vehicles from Revere-East Boston line to Park square—that license be granted.

Report accepted; license granted under usual conditions.

STREET LIGHT, WARD 8.

Coun. HURLEY offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to install a street light in front of St. Patrick's Church, at the intersection of Dudley and Magazine streets, Roxbury, Ward 8.

Passed under suspension of the rules.

REMOVAL OF SNOW.

Coun. BRYAN offered the following:

Ordered, That his Honor the Mayor direct the Commissioner of Public Works to remove the snow from all squares and in front of business establishments throughout the city.

Passed under suspension of the rules.

REFERENCE OF UNFINISHED BUSINESS TO NEXT COUNCIL.

President KELLY offered the following:

Ordered, That any orders or petitions in the hands of committees of this Council, which the City Clerk shall decide should properly be referred as matters of unfinished business, be referred to the next City Council.

Passed under suspension of the rules.

RECESS.

On motion of Councilor Sullivan the Council voted to take a recess at 11.25 a. m. The members reassembled in the Council Chamber and were called to order by President KELLY at 11.30 a. m.

Coun. FISH reported for the Executive Committee that nothing was pending.

PRESENTATION OF GAVEL TO PRESIDENT KELLY.

Coun. FISH, on behalf of the members of the Council, here presented a silver gavel to President KELLY.

INTRODUCTION OF COUNCILOR CHRISTIANSON, OF RACINE, WIS.

President KELLY here presented Councilor Earl O. Christianson, of Racine, Wisconsin, to the members of the Council.

VOTE OF THANKS.

On motion of Councilor Hannon a rising vote of thanks was tendered to President KELLY and all outgoing members.

Adjourned, on motion of Councilor Hurley, at 12.30 p. m., *sine die*.

Note: All debate of City Council eliminated from proceedings in accordance with Chapter 447, Acts of 1947.
 (Stenographic copy of such debate on file in office of City Clerk.)

